

bulletin





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MAY 12 1947

THE FIRST SPECIAL SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Procedural Questions With Relation to Agenda¹

by Sheldon Z. Kaplan
and
Betty C. Gough

The first special session of the General Assembly of the United Nations was convened April 28, 1947, to consider one matter: the constituting and instructing of a Special Committee to prepare for the consideration of the question of Palestine at the second regular session.

British Request

On April 2, 1947, Sir Alexander Cadogan, United Kingdom Representative to the United Nations, notified Victor Hoo, Assistant Secretary-General, serving as Acting Secretary-General in the absence of Trygve Lie, that he had received the following message from his Government:

"His Majesty's Government in the United Kingdom request the Secretary-General of the United Nations to place the question of Palestine on the Agenda of the General Assembly at its next regular Annual Session. They will submit to the Assembly an account of their administration of the League of Nations Mandate and will ask the Assembly to make recommendations, under Article 10 of the Charter, concerning the future government of Palestine.

"In making this request, His Majesty's Government draw the attention of the Secretary-General to the desirability of an early settlement in Palestine and to the risk that the General Assembly might not be able to decide upon its recommendations at its next regular Annual Session unless

some preliminary study of the question had previously been made under the auspices of the United Nations. They therefore request the Secretary-General to summon, as soon as possible, a special Session of the General Assembly for the purpose of constituting and instructing a Special Committee to prepare for the consideration, at the regular Session of the Assembly, of the question referred to in the preceding paragraph."²

On the same day, the Acting Secretary-General, in accordance with rule 4 of the provisional rules of procedure of the General Assembly,³ informed the other 54 member governments of the United Kingdom request and inquired whether they concurred in the summoning of a special session for this purpose.⁴

¹ The analysis which follows is based on action which took place through May 1, 1947.

² General Assembly doc. A/286, Apr. 3, 1947; BULLETIN of May 4, 1947, p. 795.

³ The provisional rules of procedure for the General Assembly are found in General Assembly doc. A/71/Rev. 1, Apr. 28, 1947.

⁴ United Nations press release GA/39, Apr. 2, 1947.

Majority Concurrence

With the receipt of the reply from the Government of Turkey on April 13, 1947, the necessary majority of 28 members had concurred in the request of the United Kingdom. In order of receipt of their replies the following 27 members had previously indicated their concurrence: Cuba, France, United States of America, China, Haiti, Honduras, Greece, Liberia, New Zealand, Czechoslovakia, Brazil, Panama, Mexico, Paraguay, Sweden, Union of Soviet Socialist Republics, Denmark, Dominican Republic, Ecuador, Luxembourg, Peru, Ukrainian Soviet Socialist Republic, Australia, India, Norway, Union of South Africa, and Canada.⁵

Summoning of First Special Session of the General Assembly

In accordance with rules 3 and 8 of the provisional rules of procedure, the Secretary-General on April 13, 1947, summoned the first special session of the General Assembly to convene at Flushing Meadow in New York on April 28, 1947—exactly 15 days after the concurrence of a majority of the members.⁶

Provisional Agenda and Arab States' Proposal

The provisional agenda as communicated by the Secretary-General to member governments on April 13, 1947, contained only the one substantive item for which the Assembly had been summoned: the constituting and instructing of a special committee to prepare for the consideration of the question of Palestine at the second regular session.⁷

In a telegram to the Secretary-General on April 21, 1947, Mahmoud Hassan, the Egyptian Ambassador to the United States, requested on behalf of his Government the inclusion of the following item on the agenda of the Assembly: the termination of the mandate over Palestine and the declaration of its independence.⁸ The Government of Iraq, on April 21, and the Governments of Syria, Lebanon, and Saudi Arabia, on April 22, also requested the inclusion of this item on the agenda, in virtually identical language.⁹

⁵ General Assembly doc. A/295, Apr. 25, 1947, p. 2.

⁶ *Ibid.*

⁷ General Assembly doc. A/293, Apr. 24, 1947.

⁸ General Assembly doc. A/287, Apr. 21, 1947.

⁹ General Assembly docs. A/288, Apr. 23, 1947; A/289, Apr. 23, 1947; A/290, Apr. 23, 1947; A/291, Apr. 23, 1947.

Agenda Consideration by the General Assembly

In accordance with rule 33 of the provisional rules of procedure, the General Committee of the Assembly, which consists of the president, seven vice presidents, and the chairmen of the six main committees, considered the provisional agenda and the additional item which was proposed by the Arab States.

United States Position

At the meeting of the General Committee on April 29, 1947, Herschel V. Johnson, Alternate United States Representative to the first special session of the Assembly, set forth the position of the United States with regard to the agenda as follows:

"It was the understanding of the United States, that this special session of the Assembly had been called to appoint a committee for the purpose of reporting to the next general session of the Assembly, on the subject of the question of Palestine. It will be recalled that the United Kingdom Government, in requesting that this item should be placed on the agenda of the General Assembly at its next regular annual session, engaged itself to submit to the Assembly an account of their administration of the League of Nations Mandate, and to ask the next regular session of the Assembly to make recommendations, under Article 10 of the Charter, concerning the future government of Palestine.

"The United States has, from the beginning, made known its view that no item other than the item originally proposed by the United Kingdom Government should be considered at this session. The reasons for this view are, in the opinion of our delegation, clear and important. The proper approach to the Palestine problem, by the Assembly, requires a preliminary assembly and an analysis of data and formulation of alternative recommendations by a committee, so that the Assembly will have clear-cut proposals before it at the next September session. It seems undesirable to us for Members to embark on the consideration of a variety of topics not relevant to the purpose for which this Assembly was convened.

"My Government, in preparing for this special session, did so with the full realization of the importance of the Palestine problem, not only to the parties most immediately concerned, but to

the whole world. We believe that this may be the last chance for the solving of this problem in a peaceful and fair manner. If this chance is missed, chaos and disorders might well result in Palestine of so serious a nature that that country would be ruined physically and morally.

"We are, furthermore, convinced that if the United Nations is to meet with success in its efforts to solve the Palestine problem, the decision which it makes must be not only fair, but one which has the support of world opinion, and which is thought to be fair.

"It will be extremely difficult, if not impossible, to enforce any decision which does not rally the support of most of the peoples of the world.

"It is also the opinion of my Government that if a decision is to have the support of world opinion, it must clearly have been reached after careful study and consideration in an atmosphere free from pressures on the part of the Great Powers and from intrigues behind the scenes. It is our belief that we can best contribute to the reaching of a fair and enforceable decision by doing our part to maintain proceedings on the highest possible level and to limit the activities of the special Assembly to the setting up of machinery for giving the problem the careful and impartial study which it deserves.

"In making these remarks, I should be unhappy if they were interpreted by anyone seated at this table as a desire to prevent the Members of the Arab States or any other interested people from expressing their full views regarding the solution of this problem at the proper time.

"The proposal made by the representative of Egypt, and likewise by the other Arab States represented here, is one which, in our view, attempts to prejudice this issue. They are asking categorically for an action by this Assembly which may not be the best immediate solution of this question. It may be one of the alternatives recommended by the committee which we hope to set up.

"The United States cannot support the inclusion of this item on the agenda. The United States likewise feels that an untrammelled discussion of the substance of the Palestine problem at this session would not serve the fair solution which we all hope to get in the regular session, when we have full and complete data of our own investigating committee to take into consideration. That committee will, we hope, be so constituted and with

such terms of reference as to give the widest possible scope to the expression of all views of interested parties in this question.

"The next regular session of the General Assembly, moreover, would be in a position, on receiving the report of the committee, to recommend any deficiencies in the procedure of that committee, to give opportunity for any who had not been heard, if they saw fit, or who had been rejected through any error of the committee. No rights are impaired, either legal or moral, in our view, in confining our discussion at this Assembly to the purely procedural object for which we were convoked."¹⁰

Applicable Rules of Procedure

The above position was based on broad aspects of policy outlined by Mr. Johnson. The underlying procedural aspects of this position concerned rules 3, 4, 8, 11, 17, and 18 of the provisional rules of procedure, which relate to the summoning of special sessions of the General Assembly:

"Rule 3

"Special sessions of the General Assembly shall also be held within fifteen days of the receipt by the Secretary-General of a request for such a session either from the Security Council or from a majority of the Members of the United Nations.

"Rule 4

"Any Member of the United Nations may request the Secretary-General to summon a special session. The Secretary-General shall thereupon inform the other Members of the United Nations of the request and inquire whether they concur in it. If within thirty days of the date of the communication a majority of the Members concur in the request, a special session of the General Assembly shall be summoned in accordance with the provisions of Rule 3."

"Rule 8

"The Secretary-General shall notify the Members of the United Nations at least fourteen days in advance of the opening of a special session convoked at the request of the Security Council, and

¹⁰ Provisional verbatim minutes of the General Committee of the General Assembly, General Committee doc. A/BUR/P.V. 29, Apr. 29, 1947, pp. 21-30. Only the relevant portions of the statement are quoted.

at least ten days in the case of a request by a majority of the Members."

"Rule 11"

"... The provisional agenda of a special session, summoned at the request of a majority of the Members, shall be communicated at least ten days before the opening of the session."

"Rule 17"

"When a special session is called, the agenda for the session shall be confined to the items communicated by the Secretary-General to the Members of the United Nations, unless the General Assembly, by a two-thirds majority of the Members present and voting, decides to include additional items."

"Rule 18"

"Any Member of the United Nations may, at least four days before the date fixed for the opening of a special session, request the inclusion of additional items in the agenda. Such items shall be placed on a supplementary list which shall be communicated to the Members of the United Nations as soon as possible."

Action by the General Assembly

The General Committee on April 29, 1947, voted to recommend that the item proposed by the United Kingdom be placed on the agenda of the General Assembly and referred for consideration to the First Committee.¹¹ This recommendation¹² was adopted by the plenary Assembly on May 1, 1947.

On April 30, 1947, the General Committee decided not to recommend the inclusion of the Arab item on the agenda.¹³ Egypt voted to include the item; Canada, China, Ecuador, France, Honduras, Sweden, the United Kingdom, and the United States voted against its inclusion; Brazil, Czechoslovakia, India, Poland, and the Union of Soviet Socialist Republics abstained.

¹¹ General Committee doc. A/BUR/P.V. 28, Apr. 29, 1947, p. 52.

¹² General Assembly doc. A/298, May 1, 1947.

¹³ General Committee doc. A/BUR/P.V. 31, May 1, 1947, pp. 127-30.

¹⁴ Provisional verbatim minutes of the General Assembly, doc. A/P.V./71, May 1, 1947, pp. 131-132.

The plenary assembly on May 1, 1947, upheld the recommendation of the General Committee. Afghanistan, Argentina, the Byelorussian Soviet Socialist Republic, Cuba, Egypt, India, Iran, Iraq, Lebanon, Saudi Arabia, Syria, Turkey, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, and Yugoslavia voted for the inclusion of the item; Australia, Belgium, Brazil, Canada, Chile, China, Denmark, Ecuador, France, Greece, Honduras, Liberia, the Netherlands, New Zealand, Norway, Panama, Peru, the Philippine Republic, Sweden, the Union of South Africa, the United Kingdom, the United States, Uruguay, and Venezuela voted against inclusion of the Arab item; Bolivia, Colombia, Czechoslovakia, the Dominican Republic, El Salvador, Ethiopia, Guatemala, Haiti, Mexico, and Poland abstained.¹⁴

"Items Communicated"

Upon an examination of the applicable rules of procedure which served as the procedural basis of the United States position, it will be noted that rule 17 provides, in part, that the agenda for a special session is to be "confined to the *items communicated* by the Secretary-General to the Members of the United Nations" (italics supplied). It becomes necessary, therefore, to fall back on the preceding rules governing special sessions for a determination of when and what "items" are communicated by the Secretary-General:

1. The first communication emerges through the operation of rule 4, whereby the question of whether a special session shall be summoned is answered. It is the member's *request* (and the rules set forth no particular form in which the request must be transmitted) which is communicated, and nothing more, and if a majority of the Members concur this request loses its identity and becomes the request of the majority. This is necessarily so, or else the second clause of the last sentence of rule 4 ("a special session of the General Assembly shall be summoned in accordance with the provisions of Rule 3", which refers to a request for such a session by a majority of the members) is meaningless.

2. The second communication emerges through the operation of the last sentence of rule 11 ("the provisional agenda of a special session, summoned at the request of a majority of the Members, shall be communicated").

The first instance of "items" communicated occurs not under number 1 above but when the provisional agenda has been communicated. The purpose of the provisional agenda is to itemize or list in orderly sequence the matter(s) contained in the majority request for a special session.

The phrase *items communicated*, referring to the provisional agenda communicated (rule 11), is not believed to imply that the Secretary-General may, in his discretion, place on the provisional agenda itemization of *other* substantive questions in addition to the question contained in the request of the majority. Nor was the Secretary-General obliged to itemize additional topics requested by one or more members, such as "the termination of the mandate over Palestine and the declaration of its independence", the substantive item requested by the Arab States. A contrary interpretation either would result in placing the request of one member or of a minority of members on an equal footing with a majority request, or would require the Secretary-General to communicate, under rule 4, a series of requests and counterrequests. It is believed that if the draftsmen of the rules of procedure had intended "additional items" to be included on the provisional agenda they would have so stated in rule 11. Additional items are first mentioned in rules 17 and 18, under which they may be placed on a supplementary list and, if a two-thirds majority of the members present and voting so decide, on the agenda.

Background of Rules of Procedure With Regard to Agenda

This interpretation of the rules is fully supported not only by the deliberations which took place at the first special session but also by the deliberations and report of discussion which took place in the Executive Committee of the Preparatory Commission of the United Nations on this matter in September and October 1945. In the original draft of the General Assembly rules of procedure, section 7 of rule 5 (agenda) stated:

"As a general rule, the agenda of a special session shall be limited to the items occasioning its call."¹⁵

When this draft was considered in this Committee, various changes were agreed upon. The report of the discussion in the Committee with respect to section 7 (as quoted above) states:

"It was in principle desirable that the Agenda of a special session should be limited to the special question or questions which had been specially submitted by the member of the United Nations requesting the convoking of such special session. It was, however, very probable that in responding to the summons for a special session, other members would in turn request the inclusion of additional items. The paragraph was therefore redrafted to allow the addition of other items by a two-thirds majority decision of the General Assembly, whilst retaining the principle of restriction."¹⁶

This decision found its way into the next draft of the rules of the Assembly as follows:

"8. When a special session is called the agenda for the session shall be confined to the items communicated by the Secretary-General to the Members of the United Nations, unless the General Assembly, by a two-thirds majority, decides to include additional items.

"9. Any Member of the United Nations may, at least four days before the date fixed for the opening of a special session, request the inclusion of additional items on the agenda. Such items shall be placed on a supplementary list, which shall be circulated to the Members of the United Nations on arrival for the opening of the session."

Conclusions

From the above analysis, the following conclusions emerge:

1. The request of a single member that a special session be summoned by the Secretary-General, if concurred in by the majority of the members, becomes the request of the *majority* for a special session.

2. A provisional agenda is an itemization drawn up by the Secretary-General, based upon the matter(s) contained in the majority request. No *additional* itemization can be made by the Secretary-General based upon matters either contained in other requests or which he may feel should be included, with the exception of routine, organizational matters, such as the formal admission of Siam as a member. The factor of "additional

¹⁵ Executive Committee of the Preparatory Commission of the United Nations, doc. PC/EX/A/26, Sept. 25, 1945, p. 4.

¹⁶ *Ibid.*, doc. PC/EX/A/39, Oct. 4, 1945, p. 3.

items" was in the minds of the draftsmen and *first* appears in rule 17, requiring a two-thirds majority vote.

3. The phrase *items communicated by the Secretary-General* in rule 17 with regard to the agenda refers to the provisional agenda in rule 11 and is limited to the items therein contained and hence the matter contained in the request of the majority.

4. "Additional items" can be placed on the agenda only by meeting the two-thirds-majority vote qualification of rule 17.

5. These additional items may be taken either from the supplementary list referred to in rule 18 or from any other source and placed on the agenda, provided "a two-thirds majority of the Members present and voting, decides to include additional items".

The purpose of the rules relating to a special session of the Assembly is to insure that the session will be limited to the matter for which it was called upon request of any member, concurred in by a majority, but that additional substantive items can be considered only upon a two-thirds majority vote.

In evaluating the position which the United States took on the Arab States' request to include an additional substantive item on the agenda ("the termination of the mandate over Palestine and the declaration of its independence"), it is important to consider not only the questions of policy which motivated the stand of the United States but also the applicable rules of procedure of the General Assembly of the United Nations governing special sessions. For it is only within the framework of the machinery of procedural rules that policy can be made effective.

Officers of the First Special Session of the General Assembly and Its Main Committees

President

OSWALDO ARANHA (Brazil)

Vice Presidents

Chief Representatives (or alternates) of—

China (QUO TAI-CHI)

Ecuador (NEPTALI PONCE)

France (ALEXANDRE PARODI)

India (M. ASAF ALI)

Union of Soviet Socialist Republics (ANDREI A. GEOMYKO)

United Kingdom (Sir ALEXANDER CADOGAN)

United States of America (WARREN R. AUSTIN)

Chairmen of the Six Main Committees

1. Political and Security—LESTER B. PEARSON (Canada)
2. Economic and Financial—JAN PAPANEK (Czechoslovakia)
3. Social, Humanitarian and Cultural—MAHMOUD HASSAN (Egypt)
4. Trusteeship—GUSTAF HERMAN ERIKSSON (Sweden)
5. Administrative and Budgetary—JOZEF WINIEWICZ (Poland)
6. Legal—TIBURCIO CARIAS, JR. (Honduras)

Current United Nations Documents: A Selected Bibliography

There will be listed periodically in the BULLETIN a selection of United Nations documents which may be of interest to readers.

Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

Economic and Social Council

Commission on Human Rights. Sub-Commission on Freedom of Information and of the Press. Consolidated Terms of Reference . . . E/CN.4/Sub.1/2, May 8, 1947. 4 pp. mimeo.

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General Assembly

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Department of State Bulletin

THE GENERAL CONFERENCE OF UNESCO, PARIS

The Program in Relation to the United Nations

by Esther C. Brunauer

The role of the United Nations Educational, Scientific and Cultural Organization as a specialized agency of the United Nations influences its program and activities, and some of its basic problems are shared with the United Nations and with other specialized agencies. The article below is the third in a series designed to review the accomplishments of the first meeting of the General Conference of UNESCO and discusses the place of UNESCO in the present pattern of intergovernmental organization.

The development of UNESCO moved along on the heels of the development of the United Nations, and many of the same people who helped to draft the Charter worked on the text of the UNESCO Constitution. The early draft of a United Nations agency for educational reconstruction, prepared in London in April 1944, was transformed after Dumbarton Oaks into the draft of a constitution of a United Nations organization for education and cultural cooperation. The American proposals for this basic instrument, formulated by an interdivisional working group in the Department of State with the aid of informal consultations outside the Government, were sent to London about the time the United Nations conference convened at San Francisco. The proposals of some 20 governments were studied by the Conference of Allied Ministers of Education in London, and the text which became the basis of the constituent meeting was written shortly after the United Nations Charter was adopted. The London Conference for the Establishment of an Educational, Scientific and Cultural Organization was held in November 1945, during a lull in the meetings of the United Nations Preparatory Commission; the Preparatory Commission of UNESCO got under way at the time of the first

meeting of the General Assembly of the United Nations. The basic agreement contemplated by article 63 of the Charter and article X of the UNESCO Constitution was negotiated in June 1946, and was approved six months later by the General Conference of UNESCO and the General Assembly of the United Nations, almost simultaneously.

The bonds between the United Nations and its Educational, Scientific and Cultural Organization originated in something more than an accident of history. The whole concept of the specialized agencies is based on the conviction that peace cannot be maintained indefinitely by nothing more than procedures for settling international disputes and stopping aggression, essential as they are; the nations of the world must work together for the betterment of human life and must develop such strong ties among their peoples that war will eventually become unthinkable. The role of scholarship, teaching, and art in helping to build a stable international community is now well recognized by the peoples of the United Nations. The attempt of the Axis dictatorships to consolidate their conquests through the perversion of science and the debasement of the power of ideas led to a deeper appreciation of the importance of knowl-

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edge and skill based on truth and intellectual and artistic freedom in constructing the defenses of peace.

The creation of UNESCO was accomplished with marked enthusiasm and harmony, and with the conviction on the part of many of its founders that the United Nations system would be seriously incomplete without an agency to link the resources of mind and spirit with the instruments of international power. Or perhaps it would be more accurate to say that they discovered that the resources of the mind and spirit of man constitute one of the greatest instruments of international power. During the San Francisco conference the recognition of the close connection was expressed through a demand, which was readily satisfied, for a specific reference in the Charter to educational and cultural cooperation. The Chinese and French Delegations were conspicuous among the active supporters of this proposal, and American voluntary organizations, reinforced by the passage of the Mundt-Fulbright-Taft resolution in Congress, also played an important part.

After the Charter was adopted and plans for a conference to establish an educational and cultural organization were developed, some governments proposed that the dependence of this specialized agency on the United Nations should be made more obvious by having the Economic and Social Council take the initiative—as was done later in the case of the health and the refugee organizations. However, when it became apparent that this procedure would postpone the establishment of UNESCO by at least a year, the plan of a conference to be held, on the invitation of the British and French Governments and as soon as feasible, was accepted.

The relationship of UNESCO to the United Nations was made manifest throughout the Constitution, and the Preparatory Commission took steps to consolidate the relationship even in the preliminary stages of the organization. A member of the staff was sent to New York to maintain contacts with the Secretariat of the United Nations and from time to time members of the Preparatory Commission were invited to attend meetings of the Economic and Social Council and its commissions as observers. Even before the draft agreement between the United Nations and the United Nations Educational, Scientific and Cultural Organizations was negotiated it was ap-

parent that the points of most frequent contact—and potential friction as well as potential cooperation—were to be in the fields of human rights, social affairs, and public information.

The need for clarification of function and establishment of sound working arrangements, especially in these three areas, arose partly from the fact that the United Nations organs and offices on the one hand and UNESCO on the other were going through the early stages of development. A certain amount of overlapping is also inherent in the nature and purposes of the two organizations. A striking instance is the subject of freedom of information, which neither UNESCO nor the U.N. Human Rights Commission can ignore, although it will require considerable experience to determine the most effective division of labor.

With respect to the general area of social affairs, clarification of substance and operation is necessary. For example, the vagueness of the boundary between child welfare and education complicates both the UNESCO program of educational relief and the United Nations plans for the Children's Emergency Fund. The question of how far the United Nations Secretariat should engage directly in international enterprises affects the ultimate decision as to what UNESCO, along with other specialized agencies, should undertake. This was underlined when the Economic and Social Council considered, at its third session, a resolution for the establishment of international scientific research institutions on the initiative of the United Nations. It was decided to refer the proposal to UNESCO, which was already considering the proposals for coordination and development of research activities in the Hylean Amazon under international auspices. This undertaking, now going forward, differs in detail from the plan put before the Economic and Social Council, but the principle is the same. Moreover, by referring the matter to UNESCO the Council indicated that in general it expects the appropriate specialized agencies to carry on any direct large-scale operations within the scope of their programs and resources.

The negotiating committee on the agreement between the United Nations and UNESCO gave special attention to the necessity of coordinating the activities of the two organizations in the field of public information. Article VII takes note of the function of UNESCO "to collaborate in the work of advancing the mutual knowledge and under-

standing of peoples through all means of mass communication," and provided for a subsidiary agreement to define the method of coordination. This subsidiary agreement has not yet been concluded. However, UNESCO has a liaison officer stationed in the Department of Public Information of the United Nations, and the organization takes part in the Coordinating Committee on Information and the Film Board through which the United Nations and the specialized agencies clear activities.

UNESCO has a more extensive and acute problem in its relations with the U.N. Department of Public Information than do other specialized agencies. Like them, it seeks to inform the public about its own work, but in a broader and deeper sense UNESCO is itself an agency for public information. If this organization is to succeed it must inform the people of all countries about one another; inform all people everywhere about the fundamentals of international peace and security; inform everyone, specialists and laymen, about intellectual and artistic contributions to human welfare; and constantly develop and improve all the means of disseminating information, including formal and informal education, libraries and museums, books, newspapers and periodicals, films, and the radio. Obviously, this is a situation in which misunderstanding, professional jealousy, or inadequate cooperating machinery could seriously hamper both UNESCO and the United Nations. As UNESCO gets to work the problem becomes less theoretical. Detailed decisions require day-by-day adjustments, but looking back over a period of several months one can see that the trend of the decisions is toward clearer definition of UNESCO's paramount tasks in this field. The more energy, wisdom, and efficiency UNESCO can demonstrate through a positive program, the more widely will its position be acknowledged and the less serious will be the danger of jurisdictional disputes and wasteful duplication.

The statement of this proposition, namely, that many difficulties will be solved for UNESCO by a demonstration of energy, wisdom, and efficiency in carrying out a positive program, throws into relief the major problems of obtaining competent personnel and of developing good administrative practices. The organization shares these problems with the rest of the United Nations system, but in some respects they are more acute for UNESCO

than for other agencies. On the one hand, the program of UNESCO is less tangible and by its nature more experimental than the work of most other agencies; on the other, the people whose talents have to be drawn upon are often individualists, unaccustomed to any discipline except that of their own consciences and their sense of professional ethics, and impatient of the details of official responsibility. Yet the people who know how to work in groups, and are methodical and painstaking in administration, frequently lack the creative vision and drive that UNESCO needs. Also, in a new agency, which has to compete strenuously for public attention, there is a demand for men and women whose names and achievements are well known and recognized, and they must come from all parts of the world if the organization is to be truly international. The war, together with the years of struggle before and after, made great inroads into the world's supply of well-trained, able people, especially those trained in the advancement and spread of knowledge, ideas, and the arts. Another factor to be considered is the reluctance of men and women already successful in their chosen fields to give up the relative security of the positions they hold to move into a new international agency which is, and has to be, a pioneering venture.

UNESCO is gradually making progress in building up a good professional team, and consequently in solving its administrative problems. One of the most important elements in this is the devotion and the enthusiasm with which the present staff—most of whom are still on temporary appointments—are working to put into the form of concrete projects the far-reaching program mapped out by the General Conference. In a dynamic peace, no less than in war, the pressure and challenge of great tasks to be accomplished often bring out hidden abilities. In war, however, the pattern of action and standards of accomplishment are well established, whereas large-scale efforts to organize peace and security and promote the well-being of the people are relatively new.

In UNESCO, as in the United Nations, it is difficult to strike a balance between impatience for results and acquiescence in inadequacy and imperfection. The history of governmental institutions in general is instructive, though not entirely

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THE UNITED NATIONS

Relations Between UNESCO and World Health Organization

A significant step in reconciling the broad charter of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the narrower charter of the World Health Organization (WHO) was taken by a joint meeting of Negotiating Committees of the UNESCO Executive Board and of the Interim Commission of WHO at UNESCO House, Paris, April 15-16.¹

The joint meeting was characterized by a friendly and serious attempt to develop a mode of operation which would further the objectives of both organizations through mutual supportive action, yet with avoidance of duplication. Cer-

tain basic principles governing the relation between UNESCO and WHO were accepted by the committees and, on the basis of these principles, agreement was reached concerning the cooperative aspects of the immediate UNESCO projects touching on the field of health. A second joint meeting of the two committees was set for August 26-27 at Geneva to develop a formal draft agreement for submission to the two organizations.

The report of the joint meeting of the Negotiating Committees is reproduced below since it represents the first agreed statement between UNESCO and WHO.

REPORT OF THE FIRST JOINT MEETING OF THE NEGOTIATING COMMITTEES OF UNESCO EXECUTIVE BOARD AND THE INTERIM COMMISSION OF THE WORLD HEALTH ORGANISATION²

Unesco House, Paris, April 15th-16th, 1947

For the purposes of the present discussions the Negotiating Committees were guided by the provisions of their respective Constitutions and by the following considerations.

1. The Negotiating Committees recognise that certain Specialised Agencies, including the World Health Organisation, must rely upon scientific

research, education and organisation as a basis for much of their work, and that it is appropriate for such Agencies to be primarily responsible for the encouragement of research, education and the organisation of science in the fields most relevant to their constitutional responsibilities. It was accepted that Unesco's principal initiative would therefore be in fields not covered by the Constitutions of other Specialised Agencies.

2. It was also agreed that the lines of demarcation that are convenient for administrative purposes should not be allowed to check the growth of free enquiry or to cause the neglect of borderline problems, and Unesco is concerned in general with the relation between the pure and applied sciences in all fields. There will always be areas of common interest in which Unesco and

¹The organizations were represented by the following negotiating committees:

UNESCO Executive Board: Edward Ronald Walker (Australia), Chairman; H. R. Kruyt (Netherlands); Manuel Martinez-Baez (Mexico); Paulo Carneiro (Brazil).

WHO Interim Commission: H. van Zile Hyde (United States), Chairman; A. Cavaillon (France); H. Geraldo de Paula Souza (Brazil); Melville MacKenzie (United Kingdom).

² UNESCO/O.M.S./3/1947. Paris, Apr. 16, 1947.

the World Health Organisation will wish to co-operate and to coordinate their action, including the sciences basic to health.

Arrangements for Cooperation

The Negotiating Committees are in agreement that every effort should be made for full cooperation at all levels, namely the organisational, the expert and the secretariat levels, in regard to fields of common interest.

Until permanent machinery is established for this purpose, the two Negotiating Committees will meet as often as may be necessary to consider specific problems as they arise and to develop a draft formal agreement for submission to the two Organisations.

Meanwhile the respective secretariats will keep each other fully informed concerning programmes and projected activities in which there is mutual interest and will submit to the Negotiating Committees, for joint consideration, any matters regarding which there may be doubt as to the appropriate action and division of responsibility.

The Negotiating Committees agree that it should be the regular practice of each organisation to invite the other to be represented, at the appropriate level, on any of its Committees or panels of experts dealing with matters of common interest as determined by the Negotiating Committees.

It was agreed that the Secretariats of the two organisations should proceed with the preparation of a draft formal agreement (having regard to the considerations set out in this paper) for the consideration of the Negotiating Committees at their next joint meeting.

The Negotiating Committees considered jointly certain projects of Unesco in which early action is planned and reached the following decisions:

(i) With regard to coordination of non-governmental organisations, in the field of health, it was agreed that Unesco should refrain from any further action and that in implementation of the General Conference's resolution to "endeavour to stimulate the setting up of international advisory councils in the fields of engineering, medical and agricultural sciences", Unesco would convey to the Interim Commission the terms of that resolution, and would consider that its mandate has thereby been fulfilled so far as it applies to medical science;

(ii) With regard to the proposal that international scientific laboratories be established under the aegis of the United Nations, the Unesco Committee informed the Committee of the Interim Commission that Document Unesco/Nat.Sci/24/1947 (copies of which had already been forwarded to the Executive Secretary of the Interim Commission) had been prepared at the request of the Economic and Social Council and was now before the Council for its consideration. The W.H.O. Negotiating Committee felt that further consideration of the document by the Interim Commission would be necessary before it could be usefully discussed in joint session.

(iii) In connection with Unesco's plans to improve scientific documentation and abstracting it was agreed that the Interim Commission should be invited to arrange for appropriate representation on any committee or at other discussions on this matter. The Interim Commission's Negotiating Committee called attention to the statutory responsibilities of the Interim Commission and W.H.O. in regard to publications (including abstracts) in the field of health;

(iv) In relation to fellowships, both Committees recognised the need for coordination of programmes and received a verbal report of preliminary discussions already held under the auspices of the United Nations. It was agreed that the Secretariats would exchange information regarding the programmes and proposed programmes of the two organisations, and consult with a view to their coordination; and any problems and differences of opinion resulting therefrom will be referred to the Negotiating Committees.

(v) It was agreed that the Interim Commission will place at the disposal of Unesco any information it may have available which will assist Unesco in carrying out its programme of reconstruction of devastated laboratories and that Unesco will keep the Interim Commission informed of the progress of this programme.

(vi) With regard to Unesco Field Science Cooperation Offices, it was agreed that any matters regarding health which come to the attention of such offices will be referred to the Interim Commission, directly or at such levels as may be determined by the Interim Commission. It was considered that it might become desirable at a later date for W.H.O. liaison officers to be attached to Unesco Field Science Offices. It was agreed

that Unesco will consult with the Interim Commission in developing its plans for Field Science Offices and that the Interim Commission will keep Unesco informed concerning the field organization of the Interim Commission and the planning in regard to the regional structure of the W.H.O.

(vii) It was agreed that the Unesco Secretariat would discuss with the Secretariat of the Interim Commission the question of health education as part of fundamental and academic education with a view to subsequent consideration by the Negotiating Committees of further collaboration in this field.

(viii) Hylean Amazon Basin project. It was recognised that in view of the urgent problems with which the Interim Commission is faced and the limits of its authority, it would probably not be able at this time to take an active role in this project. The Unesco Committee explained that a small mission is proceeding to Brazil to assist in preparing an inter-governmental Conference which will consider plans for this project; and the Unesco mission has already been instructed to consult with the Director of the Pan-American Sanitary Bureau. It was agreed that Unesco would invite the Interim Commission of the W.H.O. to be represented at the contemplated Conference, and that Unesco would meanwhile keep the Interim Commission informed of the progress of this project.

(ix) Nutritional Science Proposals. The Unesco Committee explained that the General Conference, at the instance of certain delegations, had approved the establishment of Nutritional Science and Food Technology Field Teams in various countries. The Executive Board recognised that any action in this field would be the primary responsibility of the W.H.O. and F.A.O. It was agreed that Unesco should refer the General Conference proposal to the Interim Commission and the F.A.O. for consideration by their joint Committee, with the suggestion that Unesco be invited to be represented at the committee when this matter is under consideration.

¹ Adopted by a vote of 45 in favor, 7 against, and 1 abstention at the 79th meeting of the General Assembly, first special session, on May 15, 1947. The resolution was submitted by Committee I, Political and Security Committee, on May 13. The text of the resolution is contained in General Assembly doc. A/307 of May 13, 1947, pp. 8-9.

In regard to other matters of common interest in which Unesco does not contemplate early action (including "Mass media and Medical Science" and Sociological Aspect of Medicine), it was agreed that the Unesco Committee would furnish the Interim Commission Committee with explanatory memoranda as a basis for future discussion.

On the invitation of the Interim Commission Committee it was agreed to hold the next joint session of the Negotiating Committees in Geneva, on the 26th and 27th August.

Resolution Establishing Special Committee on Palestine¹

WHEREAS the General Assembly of the United Nations has been called into special session for the purpose of constituting and instructing a Special Committee to prepare for the consideration at the next regular session of the Assembly a report on the question of Palestine,

The General Assembly

Resolves that:

1. A Special Committee be created for the above-mentioned purpose consisting of the representatives of Australia, Canada, Czechoslovakia, Guatemala, India, Iran, Netherlands, Peru, Sweden, Uruguay and Yugoslavia;
2. The Special Committee shall have the widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine;
3. The Special Committee shall determine its own procedure;
4. The Special Committee shall conduct investigations in Palestine and wherever it may deem useful, receive and examine written or oral testimony, whichever it may consider appropriate in each case, from the mandatory Power, from representatives of the population of Palestine, from Governments and from such organizations and individuals as it may deem necessary;
5. The Special Committee shall give most careful consideration to the religious interests in Palestine of Islam, Judaism and Christianity;
6. The Special Committee shall prepare a re-

port to the General Assembly and shall submit such proposals as it may consider appropriate for the solution of the problem of Palestine;

7. The Special Committee's report shall be communicated to the Secretary-General not later than 1 September 1947, in order that it may be circulated to the Members of the United Nations in time for consideration by the Second Regular Session of the General Assembly;

The General Assembly

8. REQUESTS the Secretary-General to enter

into suitable arrangements with the proper authorities of any state in whose territory the Commission may wish to sit or to travel, to provide necessary facilities, and to assign appropriate staff to the Commission;

9. AUTHORIZES the Secretary-General to reimburse travel and subsistence expenses of a representative and an alternate representative from each government represented on the Commission on such basis and in such form as he may determine most appropriate in the circumstances.

Meeting of International Civil Aviation Organization¹

ACTIONS TAKEN BY COMMISSION ON DRAFT AGREEMENT WITH U.N. AND ON DEBARMENT OF SPAIN²

Action looking toward debarment of Franco Spain from the International Civil Aviation Organization was initiated on the morning of May 8 at a Commission session of the first ICAO assembly meeting in Montreal.

The United States introduced and the United Kingdom seconded a motion to ratify the draft agreement with the United Nations, accept the condition of that agreement requiring debarment of Spain, and to amend the convention governing ICAO so as to make possible debarment of Spain. Pending coming into force of that amendment through ratification by member states, the resolution also would declare the wish of the assembly that the present Government of Spain should not participate in the assembly or other ICAO activities.

The debate in the Commission found Portugal, Argentina, the Union of South Africa, and Ireland joining Spain in opposition to expulsion. The U.S.-U.K. motion was supported by China, France, Czechoslovakia, and Canada.

Additional discussion was scheduled for the afternoon, with an early vote expected since the Commission is under instructions to report a proposal promptly to a plenary session of the assembly.

Opposition to the motion stressed the belief that ICAO was a technical organization which would

lose its effectiveness if subjected to political considerations.

Backers of the resolution declared that affiliation with the United Nations was more important to the organization than the loss of Spain and that the same nations which voted against Spain at the United Nations could not logically take a different position at ICAO.

The Commission of the International Civil Aviation Organization's first assembly meeting in the afternoon of May 8 voted to accept the draft agreement with the United Nations, along with the United Nations' Assembly resolution stipulating debarment of Franco Spain as a condition of the relationship. The Commission action will be presented to a plenary session of the assembly for final action, together with a proposed amendment to the convention of the organization setting up machinery for debarment and re-admission.³

The Commission, on May 8, was considering the amendment to the convention on debarment. It had before it a Canadian proposal to permit re-admission to the organization by a majority instead of a two-thirds vote.

¹ In session in Montreal since May 6, 1947.

² U.N. press releases ICAO/7 and ICAO/8 of May 8, 1947.

³ On May 13 ICAO voted 27 to 3 for debarment of Spain from participation in the organization.

Meeting of Committee on Progressive Development of International Law and Its Codification

STATEMENT BY PHILIP C. JESSUP¹

The United States attaches the greatest importance to the progressive development of international law and its codification. One hundred and sixty years ago the framers of the Constitution of the United States recognized the importance of providing for the clarification of rules of international law and for their enforcement. They accordingly included in the Constitution a provision which gives to the Congress the power "to define and punish offenses against the law of nations". In numerous decisions rendered throughout the history of this country, the Supreme Court of the United States and other courts have frequently reiterated the view that "international law is part of our law". The Executive branch of our Government has similarly on innumerable occasions indicated its undeviating respect for international law and its belief in the need for its continuous application and development. In 1937 Secretary of State Cordell Hull, in outlining the fundamental bases of American foreign policy, declared, "We stand for revitalizing and strengthening of international law." In 1943 the late President Roosevelt, in a letter addressed to the American Society of International Law, remarked:

"Men on the battlefields are dying that civilization may be saved and that law by which we have learned to govern our conduct toward our neighbor, and not force, shall prevail. The body of law under which our civilization must advance must be a steadily growing one, tempered by past experience but capable of fulfilling the needs of a rapidly changing world. The world must have such law for its dependence. It cannot permit a recurrence of the present reign of lawlessness."

¹ Made on May 13, 1947, at Lake Success at the second meeting of the Committee on the Progressive Development of International Law and Its Codification and released to the press by the U.S. Mission on that date. Mr. Jessup is the U.S. Representative on that Committee. Also contained in General Assembly doc. A/AC.10/11, May 13, 1947.

On October 23, 1946, President Truman, in referring to the development of the work of the United Nations, pointed out that "we cannot succeed without setting fundamental precedents in the law of nations." In an address two weeks ago, Ambassador Austin outlined an eight-point program which the United States must pursue to achieve collective security through the United Nations. One of those points reads as follows:

"We must lend our full support to the development and application of international law, particularly the laws against war which for the first time have been enforced against individuals by the Nürnberg and Far Eastern Tribunals."

The United States joined with China in putting upon the agenda of the second part of the first session of the General Assembly the item which led to the adoption of the resolution creating this Committee which is now beginning its work. The United States called attention to the fact that article 13, paragraph 1, subparagraph (a), of the Charter places upon the General Assembly the duty of "encouraging the progressive development of international law and its codification". The General Assembly has taken the first step by creating this Committee and by entrusting to it the task of studying and reporting on the methods and procedures by which this vital duty may be discharged. The United States also had the privilege of placing upon the agenda of the General Assembly the item which led to the adoption of a further resolution which entrusts to this Committee the task of making plans "for the formulation, in the context of a general codification of offenses against the peace and security of mankind, or of an international criminal code, of the principles recognized in the charter of the Nürnberg Tribunal and in the judgment of the Tribunal". We are instructed to treat this "as a matter of primary importance." The United States also had the honor of joining with the Delegations of Panama, El

Salvador, and Poland in proposing that the draft declaration on the rights and duties of states should be referred to this Committee.

It is thus clear that the United States not only attaches the highest importance to the work upon which this Committee is engaged, but also that it is prepared to move forward as rapidly and as effectively as possible to the end that all relations among states shall be subjected to the rule of law.

The task is by no means an easy one. The governments of the world have had abundant experience with the problem of developing and codifying international law. It is unnecessary for me to review the steps in that experience; they have been admirably summarized for our convenience in the documents which the Secretariat has prepared under the able direction of our Secretary, Dr. Yuen-li Liang. Perhaps the chief lesson to be learned from a study of this experience, which extends over the course of a century, is that the development of law is necessarily a slow and deliberate process. We cannot overlook the fact that the peoples of the world look anxiously upon our deliberations in the hope that law and the processes of law will be fully substituted for the use of force in international relations. We must not disappoint their expectations, but it must be recognized that no complete code of international law can spring full-panoplied from the brows of any group established by the United Nations, or by any organization of any character. One has only to reflect upon the slow and deliberate steps which have marked the development and codification of law within the various states of the world. While we must therefore avoid raising exaggerated hopes, we must at the same time make recommendations which will demonstrate that this task is no side issue but one of central importance in the whole program of the United Nations.

The difficulties and necessities of the situation are fully recognized in the resolution of the General Assembly establishing this Committee when it refers to the "eventual codification" of international law and when it stresses first the progressive development of that law. The United States shares the view that it is to the progressive development of the law of nations that we must look for the greatest contribution. At the same time it is impossible to ignore the fact that the practice of states over a very long period of years has created

a body of customary international law which has frequently been applied by both national and international tribunals and which has governed the conduct of states in their mutual relations. Like all customary law, this body of legal principles cannot always be easily stated with precision. The record of the precedents and practices which are the stuff of which it is made are scattered in numerous state papers and government documents and in the works of jurists who have devoted their lives to their examination and analysis. It is a painstaking and exacting task requiring the efforts of the most skilful and impartial scholars to reflect accurately this customary practice of states. The United Nations can here be of assistance in stimulating the publication, by governments and by private initiative, of digests or other compilations revealing such practice.

International law, however, is not static. Since it is a reflection of international relations which are constantly changing and developing with the passage of the years, no customary law can develop with the rapidity of the march of human events. It is for this reason that, within states, legislation is constantly necessary to meet the problems of the day. We do not have in our international society a legislature with power to pass laws with the same facility which characterizes the operations of national legislatures. States in the international society move through a more cumbersome process of adopting treaties in which they lay down agreed rules for future conduct.

The task of this Committee thus embraces the dual function of planning for the ascertainment and reflection of the existing customary law, and of devising the most appropriate procedures for the development of new law to meet the world's needs. These two aspects of the task must always be kept distinct in our discussions because it is our mandate to study and to report on methods and procedures, and such methods and procedures vary according to whether one or the other aspect of our work is involved.

The United States has ventured to lay before the Committee a paper embodying in brief outline certain suggestions relative to that part of our task which is envisaged by item 3(a) of the provisional agenda. These suggestions are not advanced in any dogmatic spirit but solely as a possible aid in our discussions. The United States does wish,

May 25, 1947

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however, to emphasize the points stated in paragraphs 2 and 3 of the paper to which I have referred. These paragraphs read as follows:

"2. The basic consideration in the choice of these methods should be the recognition of the prime importance of the task of encouraging the progressive development of international law and its codification.

"3. The first step which should be taken to achieve this end is the creation of an effective instrument for the continuation of the work."

We are also convinced that in the development of these two basic considerations, it will be necessary to secure the full-time services of the most highly skilled and competent individuals, as indicated in the fourth paragraph of our suggestions. There are no doubt aspects of the work of progressively developing and codifying international law which require direct consideration and treatment by representatives of governments acting in responsible official capacities. Nevertheless, there are other aspects of the work in regard to which highly technical, scientific, legal assistance is absolutely essential if the task is to be satisfactorily carried on. In suggesting a term of three years for which the members of a United Nations Commission of Experts on International Law might be chosen, the United States is far from suggesting that this term is sufficient for the completion of the task or of any substantial part of it. The emphasis is rather laid upon flexibility and upon the constant need for reconsideration of plans in the light of experience.

The suggestions of the United States in paragraphs 5 and 6 are directed toward the solution of the problem of the most appropriate method for insuring the selection of these experts.

Paragraph 8 of the suggestions which we have laid before you is designed to stress the point that in all stages of the work it is most desirable to provide for the fullest cooperation of all persons and groups competent to render aid. The procedures adopted must at each step provide sufficient time to allow for the most careful study and formulation of views. Under other items of the agenda it will be appropriate to consider the ways in which the fullest cooperation of other groups, and particularly of all organs of the United Nations, may be assured.

Paragraph 8 and paragraph 9 of the suggestions also recognize the important consideration that all of this work must head up in the General Assembly, although it is recognized that the action of the General Assembly may take a variety of forms. In some instances it may prove desirable that a scientific statement by experts should merely be published in order that it may command that attention and respect which is inherent in the quality of the product and in the authority of the individuals who have been engaged in its formulation. In other instances the General Assembly may desire to place its stamp of approval upon such work by the adoption of a resolution. In still other cases the nature of the subject matter and of the report may indicate the advantage of drafting a convention which would be submitted to governments for ratification.

The concluding paragraphs of the suggestions recognize the need for continuing utilization of the expert services of the Secretariat and of other experts. It suggests that experience indicates the utility of preliminary work by a small group of specialists which can advise a rapporteur on the formulation of a preliminary draft. It takes into account also the lesson of experience which points to the utility of the conference method in connection with the development of rules, especially on certain types of subjects.

It has not seemed necessary in formulating these suggestions in bare outline, to dwell upon the important role which has been and will be played by international and by national tribunals in the progressive development of international law. The lawyer trained in the system of the common law takes for granted such jurisprudential development. The Permanent Court of International Justice developed a model system of documentation, and the International Court of Justice will no doubt continue this high standard. Other judicial decisions are less conveniently accessible, and this Committee may well consider methods for the improvement of this situation. It is not unreasonable to hope that in the future the jurisprudence of international law may be consulted as readily as one can now consult the great accumulation of modern multipartite treaty materials which will continue to be registered and published by the United Nations.

It seems unnecessary at this time to expound in greater detail the proposals which are thus briefly laid before you. No doubt there will be opportunity as our work progresses for the discussion of such details, and the United States will be prepared to offer additional suggestions from time to time.

It would be a grave error, in my opinion, for the Committee to approach its task with any narrow definition of the problem with which it is called upon to deal. The proposals relative to the rights and duties of states which were laid before the General Assembly by the distinguished Representative of Panama and which have in turn been referred to this Committee for consideration of appropriate procedures and methods, suggest an approach to the statement of certain fundamental principles. Our work includes also plans for the humble and humdrum elaboration of law which will govern many of the highly practical but unspectacular aspects of international relations. The history of the development of international law shows the practical utility of the formulation and adoption of uniform rules governing such practical matters as uniform bills of lading, the unification of rules relating to maritime liens and mortgages, and a great variety of technical questions. This part of the international development of law happily has become almost routine, but it

cannot for that reason be ignored, and the recommendations which we make to the General Assembly should be directed to the improvement of the international procedures by which this development will continue to take place. At the other extreme, there lies the vastly important and difficult problem of substituting legal rules and legal processes for the lawless use of force in settling controversies between nations.

No human society is free from conflict; the triumph of human civilization is the gradual substitution of law and order for the savage violence of primitive man in the resolution of those inevitable conflicts. It is to the United Nations that the peoples of the world now look for release from the scourge of war through the establishment of the rule of law. It is our privilege and our heavy responsibility as members of this Committee on the Progressive Development of International Law and Its Codification to suggest the way in which these aspirations of the peoples of the world may be satisfied. To many of those who long anxiously for peace and security, progress will seem to move with discouraging delay. We cannot hold out false hopes by suggesting that the process is not slow, but we may suggest in the words of a great American statesman, Elihu Root, that it is "slow as measured by our lives, perhaps, but not slow as measured by the lives of nations".

SUGGESTIONS BY THE UNITED STATES¹

1. Item 3 (a) of the provisional agenda is as follows:

"Study of the methods by which the General Assembly should encourage the progressive development of international law and its eventual codification."

2. The basic consideration in the choice of these methods should be the recognition of the prime importance of the task of encouraging the progressive development of international law and its codification.

3. The first step which should be taken to achieve this end is the creation of an effective instrument for the continuation of the work.

4. The continuation of the work should be entrusted primarily to a United Nations commission of experts on international law. Such a commission should be established by the General Assembly for a period of three years at the end of which time the situation should be re-examined with a view to determining whether the Commission should be continued on a permanent basis or whether some new form of organization should be provided by the General Assembly in the light of experience. Consideration may also be given to

¹ Released to the press by the U.S. Mission on May 13, 1947. Also contained in General Assembly doc. A/AC.10/14, May 12, 1947.

the continuation by the General Assembly of the present Committee on the Progressive Development of International Law and its Codification or of a similar committee of government representatives which could serve as a general programming and policy group to assist the commission of experts.

5. The commission of experts should be composed of persons of outstanding competence in the field of international law. The commission should be so established and so constituted as to create a body of great prestige consonant with the importance of the task which is to be entrusted to it. With this end in view, the term of office of members of the commission and their compensation should be such as to attract persons of the highest prominence and attainments. A term of three years would seem to be appropriate.

6. In order to insure the selection of the most competent experts, they should be elected by the General Assembly and the Security Council through a procedure comparable to that now provided for the election of judges of the International Court of Justice. Consideration may be given to the question whether the nominations should be made by a procedure comparable to that prescribed in articles 5 and 6 of the Statute of the Court or directly by governments.

7. The task of the commission should be envisaged as falling into two distinct parts: first, the progressive development of international law and second, its codification. These two parts should be understood as contemplating, first, the preparation of drafts upon such subjects as may be referred to the commission by the General Assembly, or upon such other subjects as the commission might determine to be in need of this type of treatment; and second, the scientific restatement of existing rules and principles of international law.

8. The procedures to be utilized by the commission should envisage a series of stages:

(a) The determination by the commission of the project upon which work is to be undertaken.

(b) Cooperation with such other expert groups, whether governmental or non-governmental, as might be found appropriate in each instance with a view to enlisting universal support and assistance in the development of each project.

(c) The elaboration of a draft text prepared by the commission in the light of such suggestions as might be received through the cooperation indicated in the preceding paragraph.

(d) The submission of the draft through the Secretary-General to the governments of all members of the United Nations with a view to the transmission of comments and suggestions for the elaboration of which adequate time should be provided.

(e) Reconsideration of the draft text by the commission in the light of the observations of the governments.

(f) Transmission of the revised text to the General Assembly with recommendations for action thereon either by resolution of the General Assembly; by the adoption of a convention to be submitted to governments for ratification; or by simple authorization of the publication of the report.

9. The General Assembly might, at its discretion, refer a report of the commission to its Sixth Committee for recommendations. It might also, in the interest of facilitating more deliberate study than would be possible during its session, provide for previous examination of a report of the commission by a small group, composed of representatives of governments, which might be considered as in the nature of a special subcommittee of the Sixth Committee.

10. In all stages of its work, the commission should be able to draw upon the expert services of the Secretariat. It should moreover be authorized to enlist the assistance of individual experts of special competence in particular topics under consideration. It should be envisaged that in most cases the commission would provide for preliminary investigation and drafting by rapporteurs assisted by a small committee composed of members of the commission or of other persons selected by the commission or of both. There may also be many instances in which it will be found advantageous to prepare conventions, especially on subjects of a technical nature, through international conferences convoked for that purpose by an organ of the United Nations, by a specialized agency, or by a government. The commission should be prepared to render expert assistance in the preparation and work of such conferences.

Meeting of the Economic Commission for Europe¹

DISCUSSION ON EUROPEAN CENTRAL INLAND TRANSPORT ORGANIZATION, THE EMERGENCY ECONOMIC COMMITTEE FOR EUROPE, AND THE EMERGENCY COAL ORGANIZATION²

After the conclusion of general statements by the delegations, the Economic Commission for Europe (ECE) on May 7 entered into the second stage of its session. Winding up the first stage, the chairman announced that the secretariat had been instructed to prepare an analysis of all statements after requesting further clarifications from the delegations so that the next session of the Economic Commission for Europe, after determining whether all suggestions from the delegations are within the terms of reference, may easier map out the future work according to the desires of the delegations.

Since May 6 the Economic Commission for Europe has been considering the question of the termination, absorption, or reorganization of the European Central Inland Transport Organization (ECITO), the Emergency Economic Committee for Europe, and the Emergency Coal Organization (ECO).

On the European Central Inland Transport Organization, the Commission heard ECITO Representative Zielinski stress the need to continue the ECITO activities for a transition period until the conclusion of a new arrangement with the Economic Commission for Europe, and to express concern of the non-payment of contributions in arrears by Czechoslovakia, Netherlands, Poland, Union of Soviet Socialist Republics, and Yugoslavia, which was the subject of a cable by ECITO to the Secretary-General. The Secretary-General's reply is that until the United Nations, through ECE, concludes an agreement with ECITO, the United Nations cannot take action, and it is up to the members of ECITO to meet the situation. The Commission then considered a tentative draft resolution prepared by the secretariat convening a meeting of transport experts to recommend to ECE functions and organizational arrangements for the absorption or termination of ECITO. France and the Soviet Union submitted amendments, and a protracted discussion followed.

On the ECE and the Emergency Economic Committee for Europe (EECE), the Commission set up two subcommittees, each composed of one representative of each delegation; first, to consult with participating representatives of member governments of ECO or EECE with a view to prompt termination of the latter organization; secondly, to consider which of the present activities of ECO or EECE it is essential to continue after the termination of EECE and the manner in which those continuing activities should be performed; thirdly, to submit a report for consideration by the Commission at the present session on the result of the above consultations and deliberations.

ECE decided that the transport experts are to meet in Geneva on May 27.

In a private morning meeting on May 10 the heads of the delegations heard a statement from the executive secretary on the organization of the secretariat of the Economic Commission for Europe. There was general agreement that the Commission should endeavor to reach a positive decision before the close of this session on the major points which the Emergency Coal Organization (ECO) had referred to it for urgent consideration.

An afternoon public meeting of the Committee on the ECO unanimously adopted a draft resolution prepared on May 9 by the drafting subcommittee, recommending, first, that the ECO continue until the transfer of its function to the Economic Commission for Europe (ECE), which is to be not later than the end of 1947; secondly, that the executive secretary of the ECE take the views of member governments, the chairman of the ECO, and such experts deemed necessary, to prepare for the second session concrete proposals regarding the structure of the future coal body of the ECE.

¹ In session in Geneva since May 2, 1947.

² U.N. press releases EC/146 of May 8 and EC/147 of May 10.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

*Calendar of Meetings*¹

In Session as of May 18, 1947		
Far Eastern Commission	Washington	1946 Feb. 26
United Nations:		
Security Council	Lake Success	Mar. 25
Military Staff Committee	Lake Success	Mar. 25
Commission on Atomic Energy	Lake Success	June 14
		1947
Commission on Conventional Armaments	Lake Success	Mar. 24
Committee on Progressive Development and Codification of International Law.	Lake Success	May 12
German External Property Negotiations (Safehaven):		1946
With Portugal	Lisbon	Sept. 3
With Spain	Madrid	Nov. 12
Inter-Allied Trade Board for Japan	Washington	Oct. 24
		1947
International Conference on Trade and Employment: Second Meeting of Preparatory Committee.	Geneva	Apr. 10
ICAO (International Civil Aviation Organization): First Meeting of General Assembly.	Montreal	May 6
ILO (International Labor Organization): Industrial Committee on Inland Transport.	Geneva	May 7-17
Congress of the Universal Postal Union	Paris	May 7
CITEJA (International Technical Committee of Aerial Legal Experts): 16th Session.	Montreal	May 10
Council of Foreign Ministers: Commission To Examine Disagreed Questions of the Austrian Treaty.	Vienna	May 12
FAO (Food and Agriculture Organization): Rice Study Group . . .	Trivandrum, Travancore, India.	May 15
International Radio Conference	Atlantic City	May 15
PMCC (Provisional Maritime Consultative Council)	Paris	May 16

¹ Prepared in the Division of International Conferences, Department of State.

Calendar of Meetings—Continued

Scheduled for May-July 1947

United Nations:

ECOSOC (Economic and Social Council):

Fiscal Commission	Lake Success	May 19
Subcommission on Freedom of Information and of the Press . .	Lake Success	May 19
Subcommission on Statistical Sampling	Lake Success	June 2
Economic and Employment Commission	Lake Success	June 2
Human Rights Drafting Committee	Lake Success	June 9
Fifth Session	Lake Success	July 19
Economic Commission for Asia and the Far East:		
First Session	Shanghai	June 16
Committee of the Whole	Lake Success	June 23 ¹
Preparatory Conference of Experts on Telecommunications . .	Lake Success	June 16
Economic Commission for Europe:		
Second Session	Geneva	June 23
Transport Session	Geneva	May 27

German External Property Negotiations With Turkey (Safehaven) .	Ankara	May
FAO (Food and Agriculture Organization):		
Subcommittee on Plant and Animal Stocks	Washington	May 26-30
Executive Committee	Washington	June 2
Panel on Soil Erosion Control	Washington	June or July
IEFC (International Emergency Food Council): Fourth Meeting . .	Washington	May 26-27
Eleventh International Congress of Military Medicine and Pharmacy.	Basel	June 2-7
ECITO (European Central Inland Transport Organization): Seventh Session of the Council (Second Part).	Paris	June 3
International Cotton Advisory Committee: Sixth Meeting	Washington	June 9
ILO (International Labor Organization):		
102d Session of Governing Body	Geneva	June 13-17
30th Session of International Labor Conference	Geneva	June 19
Permanent Agricultural Committee	Geneva	July
ICAO (International Civil Aviation Organization):		
South American Regional Air Navigation Meeting	Lima	June 17
South Atlantic Regional Air Navigation Meeting	Rio de Janeiro	July 15
Caribbean Commission: Fourth Meeting	Jamaica	June 23-30
IARA (Inter-Allied Reparation Agency): Meeting on Conflicting Custodial Claims.	Brussels	June
UNRRA Council: Seventh Session	Washington	June
International Sugar Council	London	June or July
International Telecommunications Plenipotentiary Conference . .	Atlantic City	July 1
International Council of Scientific Unions: Executive Committee . .	Paris	July 1-2
International Rubber Study Group	Paris	July 1
Fourth International Congress of Administrative Sciences	Bern	July 20-27
UNESCO Executive Board	Paris	July

¹ Tentative.

U.S. DELEGATION TO INTERNATIONAL RADIO CONFERENCE

[Released to the press May 14]

The Secretary of State announced on May 14 that the President has approved the composition of the United States Delegation to the International Radio Conference, which is scheduled to be held at Atlantic City, N. J., beginning on May 15. The nominations were submitted by the Secretary of State upon the recommendation of interested departments and agencies of this Government.

The International Radio Conference is the first of a series of three international telecommunications conferences sponsored by the International Telecommunication Union, with headquarters at Bern, of which the United States Government is a member. The International Telecommunications Plenipotentiary Conference will convene at Atlantic City on July 1, and the International High-Frequency Broadcasting Conference will meet immediately after the close of the International Radio Conference.

The convention of the International Telecommunication Union, adopted at Madrid in 1932,¹ and its appended regulations, adopted at Cairo in 1938,² govern the world-wide operation of telecommunications. At the Five Power Preliminary Telecommunications Conference, held at Moscow in September 1946, the representatives of China, France, the United Kingdom, the Union of Soviet Socialist Republics, and the United States agreed that the existing telecommunications convention and regulations required urgent revision, and to this end these conferences are being convened. The objective of the International Radio Conference will be a complete revision of the existing International General Radio Regulations adopted at Cairo in 1938.

The United States Delegation is listed as follows:

Chairman

Charles R. Denny, Chairman, Federal Communications Commission

Vice chairman

Francis Colt de Wolf, Chief, Telecommunications Division, Department of State

¹ Treaty Series 867.

² Treaty Series 948.

Delegates

Gordon L. Caswell, Capt., U.S.N., Fleet Operations, Communication Officer, Navy Department

J. Howard Dellinger, Ph.D., Sc.D., Chief, Central Radio Propagation Laboratory, Division 14, National Bureau of Standards, Department of Commerce

Ewell K. Jett, Commissioner, Federal Communications Commission

Donald E. McKay, Capt., U.S.C.G., Chief, Communications Division, United States Coast Guard, Treasury Department

Paul D. Miles, Chief, Frequency Service-Allocation Division, Federal Communications Commission

Harvey B. Otterman, Assistant Chief, Telecommunications Division, Department of State

A. G. Simson, Consultant, Communications Liaison Branch, Office of the Chief Signal Officer, War Department

Edward M. Webster, Commissioner, Federal Communications Commission

Consultants

Spencer B. Akin, Maj. Gen., U.S.A., Chief Signal Officer, United States Army, War Department

Harold M. McClelland, Maj. Gen., U.S.A., Commanding General, Airways and Air Communications Service, War Department

Earl E. Stone, Rear Admiral, U.S.N., Director of Naval Communications, Navy Department

Advisers

David C. Adams, Assistant to General Counsel, Federal Communications Commission

Martin D. Berg, Lt. Cmdr., U.S.C.G., Liaison Officer, Division of Naval Communications, Navy Department

Robert R. Burton, International Broadcasting Division, Department of State

John S. Cross, Assistant Chief, Telecommunications Division, Department of State

Wilfrid Dean, Jr., Radio Engineer-Technical Adviser for Navy Frequency Division, Navy Department

John M. Grider, Cmdr., U.S.N., Assistant Head of Navy Frequency Division of Navy Communications, Navy Department

C. W. Janes, Lt. Col., Chief, Communications, Liaison Branch, Office of the Chief Signal Officer, War Department

Helen G. Kelly, Special Assistant to Chief, Telecommunications Division, Department of State

Arthur L. Lebel, Telecommunications Division, Department of State

Roger C. Legge, Jr., Radio Propagation Specialist, International Broadcasting Division, Department of State

Walter E. Linaweaver, Capt., U.S.N., Assistant Chief of Naval Communications, Navy Department

Carl W. Loeber, Assistant Chief, International Communications Division, Federal Communications Commission

Donald R. MacQuivey, Divisional Assistant, Telecommunications Division, Department of State

Albert L. McIntosh, Assistant Chief, Frequency Service-Allocation Division, Federal Communications Commission

Lawton S. F. Meaker, Radio Engineer, Air Communications Office, Army Air Forces, War Department

William F. Minners, Chief, General Mobile Service Section, Federal Communications Commission

John N. Plakias, Communications Attaché, American Embassy, Paris

Lloyd H. Simpson, Radio Liaison Officer, Civil Aeronautics Administration, Department of Commerce

Florence A. Trail, Telecommunications Division, Department of State

Nathaniel White, Chief, Frequency and Call Sign Section, Communications and Liaison Branch, Office of the Chief Signal Officer, War Department

Marion H. Woodward, Assistant Chief Engineer, Federal Communications Commission

Alternates for Mr. Woodward

William N. Krebs, Chief, Safety and Service Branch, Federal Communications Commission

E. L. White, Chief, Aviation Division, Federal Communications Commission

Administrative Staff

SECRETARY AND LIAISON OFFICER TO SECRETARY GENERAL
Ben F. Dixon, Division of International Conferences, Department of State

ASSISTANT SECRETARY

Frances Pringle, Division of International Conferences, Department of State

PROTOCOL OFFICER

Robert Breckinridge, Division of Protocol, Department of State

PRESS OFFICER

Joseph Reap, Office of the Special Assistant for Press Relations, Department of State

In addition to the United States Delegation, representatives of private telecommunications operating companies are to be certified as a part of their respective government's delegation in an advisory capacity.

U.S. DELEGATION TO PROVISIONAL MARITIME CONSULTATIVE COUNCIL

[Released to the press May 12]

The Secretary of State announced on May 12 that the President has approved the composition of the United States Delegation to the first session of the Provisional Maritime Consultative Council (PMCC) which is scheduled to be held at Paris

beginning on May 16. The nominations were submitted by the Secretary of State upon the recommendation of interested departments and agencies of this Government. The United States Delegation is listed as follows:

Chairman

Huntington T. Morse, United States Maritime Commission

Delegates

Myron L. Black, Shipping Attaché, American Embassy, Rome

John W. Mann, Shipping Division, Department of State
Robert T. Merrill, Captain, United States Coast Guard
Thomas B. Monroe, National Federation of American Shipping, Washington, D.C.

The United Maritime Consultative Council at its final session, held at Washington, October 24-30, 1946, recommended that a permanent intergovernmental maritime organization should be established through the machinery of the United Nations. It also recommended the establishment of the Provisional Maritime Consultative Council to serve as an interim measure pending the consideration of a draft constitution for a permanent intergovernmental maritime organization by a conference of interested governments to be convened for that purpose by the Economic and Social Council of the United Nations. The United States Government accepted membership in the Provisional Maritime Consultative Council in the latter part of 1946.

The Provisional Maritime Consultative Council is intended to provide an interim forum for the consideration of shipping problems of a technical and regulatory nature referred to it by governments and for the consideration of shipping problems of broader scope when referred to it by the United Nations.

Though the agenda for the first session of the Provisional Maritime Consultative Council has not as yet been determined, it is expected that the Council will consider items suggested by participating governments dealing with international maritime problems. Included among these items may be the coordination of international activities in the fields of aviation, shipping, telecommunications, and meteorology with regard to safety at sea and in the air over the sea, and the uniformity of merchant-vessel statistics and data.

May 25, 1947

THE RECORD OF THE WEEK

Inauguration of Greek-Language Broadcasts by Voice of America

RECORDED STATEMENT BY THE SECRETARY OF STATE¹

To the people of Greece the American people send greetings and expressions of warm friendship. I take the opportunity to speak to you directly over this new daily program from the United States.

Our Congress has just passed—after full and detailed debate—the Greek Aid Act. Through this program we hope to help you recover from the heavy blows of the war years to the end that a stable Greece may take the place to which she is so entitled in the community of nations.

There has been much of misunderstanding regarding our program of aid to Greece. There has been much of distortion and misrepresentation of

our purpose. We are answering the call of a valiant ally who has suffered much, of a country to which this American democracy owes much. We are coming to the aid of all the Greek people, in the hope that we may enable you to meet a trying period and to help you to establish a unified, stable, and peaceful Greece. It is as simple as that.

Today I speak directly to you over four thousand miles of ocean. What more proof could one ask that the community of nations already exists?

Let us all, then, join in the new task. The job will not be easy. But with patience and hard work and, above all, good-will, it can be done.

RECORDED STATEMENT BY ASSISTANT SECRETARY BENTON

These broadcasts from America will come to you henceforth each evening at this time by radio, bringing you news and opinions from the United States—seeking to give you a fair cross section of American developments and of American life.

Tonight's broadcast is the latest extension of our effort to help build understanding among the peoples. It brings to 26 the number of languages in which we broadcast to the nations of the world. Our broadcasts will supplement the activities of

our United States Information Service in Athens.

The inauguration of these broadcasts from America to Greece and our program of financial and economic aid to Greece are in a sense part of the historical "evening-up" process.

The Voice of Greece today speaks to America across 2,500 years. Greek art, sculpture, architecture, drama—these speak to us steadily, making our daily lives richer. The great Greek philosophers, historians, statesmen, all these speak to us eloquently, daily, as we try to make our own great democracy function more perfectly.

Modern Greece speaks to us, too, of heroism and sacrifice in resistance to invasion.

Our civilization and our country are by comparison very new. But I believe that we have something important to contribute to Greece and to the world today. For our passion for freedom

¹ These recorded statements inaugurated on May 13 the Greek-language broadcasts over the Voice of the United States of America, which will be heard daily in a 15-minute news program, to be relayed under contractual arrangements with the Columbia Broadcasting System from New York over international short wave through transmitters of the British Broadcasting Corporation in London and through the U.S. short-wave transmitters at Munich, Germany.

and democracy and tolerance is no less intense than was that of the philosophers and statesmen of ancient Greece. We firmly believe that through preserving the dignity of the individual, and through the free association and self-government of free men, the world has its great chance to live happily, prosperously, and at peace.

Our broadcasts will attempt to give you daily a view of our democracy in action. It is not a perfect democracy. But we are ever trying to improve it. Meanwhile, we shall make no effort to conceal our faults and our shortcomings. All of these will appear in the news and views you receive, in the cross section of our life which we shall transmit. Our broadcasts will thus endeavor

to bring you a balanced picture of American life, those things in which we feel we can take some pride, as well as the faults which we freely confess and which we seek steadily to overcome. The people of Greece have been getting all too many interpretations, I'm afraid, of American life and American policy from outside sources which misrepresent and distort our actions and thus seek to blacken our purposes. We hope that the pattern of our American ideals, and of the principles by which we live, and of the success of those principles and ideals in action, will stand out clearly from these—our broadcasts. We invite you to listen and decide. And it is for you to decide and for you only.

RECORDED STATEMENT BY SENATOR VANDENBERG

To the People of Greece:

Three weeks ago today the Senate of the United States overwhelmingly approved President Truman's program of assistance to Greece and Turkey. Last Friday the House of Representatives gave its assent. Thus it becomes totally clear that the President and the Congress stand united in our determination to help Greece survive as a free nation.

We in the United States have always had great admiration for your country and your people. Who can forget that Greece was the cradle of democracy in the ancient world? Who can forget that Greece was the mother of one of the finest civilizations the world has ever known? And who can forget the magnificent contribution your people made to the cause of the United Nations during the darkest hour of the war against barbarism?

The program of financial assistance which our Congress has approved will pour into the economic blood stream of the Greek community the vital nourishment of which it was deprived by the savagery of the Nazi occupation.

But I want to be completely frank about one point. Our program to sustain the vigor and independence of Greece is not mere charity to a friendly and needy neighbor. It is a program in the genuine self-interest of the United States. In a sense it is even a selfish program, when you consider

that our common anxiety for world peace and security has at its foundation every individual's selfish desire to be allowed to pursue his life's business in peace. If the freedom of the Greek people to go about their private affairs in calm security is suddenly removed, we Americans feel that our freedom is threatened too. This is the measure of how close-knit the world has become.

It should be obvious that the United States Government in undertaking this program makes no distinction between Greek and Greek. Our purpose is to help all those Greeks who put the interests of their own country first. Indeed we plead for unity and harmony among all the people of Greece. We plead for moderation and for a return to normal and orderly political processes. In the words of President Truman, delivered to the Congress of the United States on March 12th:

"We have condemned in the past, and we condemn now, extremist measures of the right or the left. We have in the past advised tolerance, and we advise tolerance now."

It is only by forgetting the animosities which have risen to divide it that any nation can pull itself back from the brink of a tragedy such as now threatens the Hellenic people. Americans hope sincerely that our aid will help to bring about a speedy healing of Greece's internal wounds. That, too, is in our interest as well as in the interest of Greece itself and of the whole world.

Radio Advisory Committee Urges Strengthening of Voice of America

Expansion of the Department of State's international short-wave Voice of America as well as its entire cultural relations program as a measure to avoid a "serious setback" in this country's relations with the rest of the world, was recommended in a report submitted to the Department on May 17 by its Radio Advisory Committee.

The Committee, made up of eight eminent publishers, educators, and radio network officials, held that the funds now available for the Department's international broadcasting are "inadequate to do the job required by the national interest", and asserted that "now, more than at almost any time in our history, a clear and fair picture of America and American policy should be heard abroad".

Coincident with making public the Advisory Committee's report, Assistant Secretary of State for public affairs William Benton announced that he will soon appoint a continuing committee to act as an advisory group pending Congressional action on the State Department's proposal now pending to turn its short-wave broadcasting activities over to a public foundation. Mr. Benton said:

"The Committee's report is extremely helpful and I am grateful to the Committee for the public service it has rendered.

"I appointed the Committee to comply with the spirit of point three, section 502, in the bill now under consideration by the Foreign Affairs Committee of the House called 'United States Information and Educational Act of 1947'. This section reads: 'that the Department shall invite outstanding private leaders of the United States in cultural and informational fields to review and extend advice on the Government's international information activities'. A similar provision was included in the bill on this subject which passed the House last year but failed to come to a vote in the Senate on the closing day of the last Congress.

"Similarly, the Department proposes to appoint a continuing committee of independent experts to make periodic reports of our broadcasts so that the public may be kept advised of our activities. Such a committee can function pending Congressional action on the long-range radio setup for handling the international broadcasting.

"The committee's advice will also be of assistance to us in further assuring that the Voice of America programs truly project a full and fair picture of our country.

"I hope at least some of the members of the Committee which has just reported will consent to serve on the standing committee."

Mr. Benton called attention to another recent report, that of the Committee of the American Society of Newspaper Editors. In its recent report, in April of this year, this Committee stated that the Russian language broadcasts are "being conscientiously done and that the gentlemen in charge are using skill and resourcefulness in the endeavor to dissipate as far as their medium allows, the many misconceptions about the United States which are prevalent in Russia."

The State Department's Radio Advisory Committee was appointed a year ago by Mr. Benton to make a study of the Department's international broadcasting. The Committee also interested itself in the need for American international information and cultural relations activities and in the effectiveness of the State Department's efforts in this field.

The Committee is made up of the following members:

Mark Ethridge, publisher of the *Louisville Courier Journal* and past president of the National Association of Broadcasters
Gardner Cowles, Jr., publisher, *Des Moines Register and Tribune*; president, Cowles Broadcasting Company
Roy E. Larsen, president of Time, Inc.
Prof. Harold Lasswell, School of Law, Yale University
Don Francisco, vice president and director of the J. Walter Thompson Advertising Agency
Sterling Fisher, assistant public service counselor, National Broadcasting Company
The Rev. Robert I. Gannon, president, Fordham University
Edward R. Murrow, vice president, Columbia Broadcasting System

Serving as its consultants were Philip Cohen of Sullivan, Stauffer, Colwell, and Bayles, Inc., Advertising Agency, and Victor Hunt of the State Department's Office of International Information and Cultural Affairs.

REPORT OF RADIO ADVISORY COMMITTEE TO THE ASSISTANT SECRETARY OF STATE FOR PUBLIC AFFAIRS

On May 10, 1946, at the first of our five meetings, you asked us to examine certain aspects of the international broadcasting activities of the State Department and to make recommendations concerning the role of the United States Government in this important field.

At this and subsequent meetings you placed at our disposal transcripts giving a representative cross section of the State Department broadcasts, reports from State Department officials abroad on the need for and the effectiveness of American broadcasts beamed to other countries, and other materials that enabled us to get a picture of the international broadcasting activities of the State Department.

We have also had discussions with Gen. David Sarnoff, president of the Radio Corporation of America; William Paley, chairman of the Board of the Columbia Broadcasting System; Lawrence Fly, formerly chairman of the Federal Communications Commission, and now a legal representative for one of the short-wave licensees; and members of your staff who have supplied information requested by your Committee.

Although the examination of America's part in international radio was the chief concern of the Committee, it was also necessary that we examine the general problems of international information of which broadcasting is merely one part.

Your Committee is in agreement that the free flow of information throughout the world is one of the essentials to a lasting peace. Unless we make it possible for others to tell their story to us, and unless we have that same privilege throughout the world, it will be difficult, if not impossible, to insure a lasting peace based on mutual understanding.

Your Committee believes that the Voice of America should be heard throughout the world through the press, motion pictures, and libraries, as well as through radio which is our immediate concern in this report. A great part of this total job is being done and, in our opinion should continue to be done, through private agencies since

this is in the American tradition; but, where private agencies are unable to disseminate information about the United States, either because of financial problems or barriers erected by various governments, it is the duty of the United States Government to see that the Voice of America is heard.

This brings us to the problem of radio. Seventy-five percent of the earth's population lives under some degree of censorship. Radio broadcasting offers the surest way to reach these people, as well as those living in censor-free countries, with information about the United States. By broadcasting we mean not only the broadcasting through short-wave facilities, for even though it is estimated that there are 29 million short-wave sets outside the United States, still this is a limited field. We also mean the arranging of exchange broadcasts with networks and individual stations in other countries and the furnishing of transcriptions which give a true and unbiased picture of this country.

In discussing the role of America in the international broadcasting field, it should be pointed out that 56 countries and dependencies are in the short-wave broadcasting field today. As a measure of comparison it is interesting to note that whereas Great Britain spends 16 million dollars annually in this field, the United States is spending some 8 million; because of lower costs in Britain, and other factors, the volume of British output exceeds that of the United States by about three to one. It is impossible to estimate the amount that is being spent by the Union of Soviet Socialist Republics, but it must be large. It is significant, for example, that among the smaller powers, Colombia's output is almost one third that of the United States.

It should also be pointed out that because of our location it is far more difficult for the United States to reach Europe and many areas in Asia than it is for all of the other major powers. This means that for the United States there are added costs in terms of transmitters and relay facilities. It also means that the frequencies allotted to the

United States must be used in the most efficient manner possible.¹

The reports from State Department representatives abroad which we have examined clearly show that news of the United States is eagerly awaited by millions around the world who look to us as a stabilizing influence in the aftermath of the most destructive war in history. In answer to the question, does anyone abroad listen to the present Voice of America broadcasts, the evidence submitted indicates that the answer is an emphatic "Yes." The listening audience seems to be substantial. The 25,000 letters a month now being received from abroad have greater significance than a comparable number received from listeners to domestic broadcasts. Those on the Committee experienced in broadcasting agree that technological developments and improvements in broadcasting, and the prospect of new, cheaper, and better receiving sets, give promise of an ever-enlarging audience.

Whether we disseminate news ourselves or not, news about the United States will be disseminated. The question is thus whether we shall leave the presentation of news and information about the United States to others, or whether we shall insure that such news and information is available directly from an American source.

It is our understanding that the private owners of existing short-wave broadcasting facilities in this country have, while recognizing the importance of international broadcasting, stated that they are unable financially to make the expenditures necessary for the United States to play its full part in this vital field, although one licensee indicated a willingness to participate in a joint financing of a short-wave operation.

With these basic facts in mind, we are prepared to recommend that a public corporation, or Foun-

dation, be created to conduct international broadcasting in behalf of the United States. Such an International Broadcasting Foundation would derive its authority from Congress and would receive support from Congressional appropriations, but would operate under the policy supervision of a Board of Trustees consisting predominantly of distinguished private American citizens.²

It is impossible to say at this time what such a venture would cost. General Sarnoff has estimated that an operating budget of 20 million dollars a year—more than twice the present level—would be required to meet the need and the opportunity. Surely such a sum would be small, in this time of international tension, compared to the importance of making America's voice heard *before* misunderstanding developed rather than *after* misunderstanding had deepened into conflict.

Three elements are involved in successful broadcasting—an adequate signal, good programming, and sufficient promotional work to insure that the potential audience knows about the programs. Adequate financial support for facilities should guarantee the adequacy of the signals, which are today inadequate to the need. We would wish here also to stress the value of appropriate advertising of these Voice of America programs abroad.

In terms of the programs themselves we can only suggest that whatever broadcasts are made should fairly and completely represent life in this democracy. We should broadcast our triumphs in the industrial and social fields but we should show where we have failed and what we are doing to correct those failures; for surely this is the way of democracy.

Should the Congress approve of the International Broadcasting Foundation, a chief job of its Board of Trustees would thus be to guarantee an unbiased presentation of America.

In summary your Committee:

- a. Believes in the full exchange of information among all nations.
- b. Believes that in the broadcasting field, financial limitations make it impossible for the private broadcasters to carry on international broadcasting on an adequate scale.
- c. Believes that an international broadcasting foundation supported by government funds but under the policy control of a group of distin-

¹ It should also here be stressed that the number of international broadcasting frequencies is severely limited, that there is great international demand for these frequencies, and that those which are allocated for use by the United States will quickly be lost unless they are utilized for our material interest.

² On Jan. 9, 1943, David Sarnoff, president of RCA, proposed to Secretary of State Hull that "a new corporation be organized that might be jointly owned by private industry and Government and that would be charged with responsibility for carrying on international broadcasting in behalf of the United States".

guished citizens offers the best way to make the voice of America heard abroad.

d. Believes that now more than at almost any time in our history a clear and fair picture of America and American policy should be heard abroad. No one will do this job for us. We must do it ourselves. The job involves the use of many media—radio, books, motion pictures, the press—but among them radio seems today the most critically important for the projection of a full and fair picture of the United States.

e. Believes that the funds now available for international broadcasting are inadequate to do the job required by the national interest, and that they must be expanded if our Nation is to avoid a serious set-back in the development of its proper relations with the rest of the world.

April 19, 1947

Signatures

MARK ETHRIDGE	PROF. HAROLD LASSWELL
DON FRANCISCO	STERLING FISHER
GARDNER COWLES,	THE REV. ROBERT I. GANNON
JR.	
ROY E. LARSEN	EDWARD R. MURROW

Consultants

PHILIP COHEN	VICTOR HUNT
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Negotiations for Mutual Restoration of Civil Property

JOINT STATEMENT BY THE UNITED STATES AND YUGOSLAV GOVERNMENTS

[Released to the press May 16]

The Governments of the United States and Yugoslavia have agreed to undertake negotiations beginning May 19 concerning American property in Yugoslavia, and Yugoslav property in the United States which is now administered by the United States Treasury or by the Office of Alien Property. The negotiations will have as their objective the early settlement of questions related to this property as well as other financial claims of either one of these Governments or its citizens against the other. In the course of the negotiations it is proposed that outstanding lend-lease matters be settled as provided in the master lend-lease agreement concluded between Yugoslavia and the United States on July 24, 1942.

May 25, 1947

Washington has been chosen as the place for the negotiations. The Yugoslav Delegation will be headed by the Assistant Foreign Minister, Vladimir Velebit, who is also the deputy chief of the Yugoslav Delegation for the United Nations meeting on Palestine. Willard Thorp, Assistant Secretary of State for economic affairs, will be chief of the United States negotiating group.

Erratum

The BULLETIN of March 30, 1947, p. 574, erroneously reported that the Far Eastern Commission approved on March 14, 1947, its policy decision on controls for Japan to relieve world food shortages. The decision was approved on February 27, 1947, and released to the press on March 14.

Agreement on ITO Charter Urged for Economic Stability

STATEMENT BY THE SECRETARY OF STATE¹

The keynote of World Trade Week in 1947 is "World Trade Unites Nations", a theme particularly appropriate for a time when the need for unity among peoples is more vital than ever before in history. National leaders are urgently seeking unity in all the fields of international relations—political, security, and economic. Economic conflict and trade wars invariably set the stage for political disunity.

Representatives of 18 trading nations are meeting now in Geneva in a concerted effort to achieve unity through expansion of world trade and the resulting increases in production, employment, and improvement of living standards in all countries.

Although the United States Government has taken a leading part in bringing about this meeting, a successful conclusion can only be realized through the cooperation of all participating nations. At Geneva these countries are seeking to lower excessive trade barriers and are engaged in drafting a charter for an International Trade

¹ Made on May 18 on the occasion of the observance of World Trade Week, May 18-24, 1947, and released to the press on the same date.

Organization, to insure international cooperation in commerce. Agreement on this charter will mark a great step toward economic stability and the common security.

France Receives First Loan Made by International Bank

[Released to the press by the International Bank for Reconstruction and Development May 9]

The International Bank for Reconstruction and Development announced on May 9 the granting of its first loan, totaling \$250,000,000, to Crédit National, a semi-public French corporation created to assist in financing the reconstruction and development of the French economy. The loan is guaranteed by the Republic of France. The executive directors of the International Bank, at a special meeting on May 9, voted their approval of the loan, which originated in a request for a \$500,000,000 loan by the French Minister of Finance in an application dated October 8, 1946. The loan agreement was signed for the Bank by John J. McCloy, president, and on behalf of the Crédit National by Wilfrid Baumgartner, president. The guaranty agreement was signed by Henri Bonnet, Ambassador of France.

The loan is being made to assist France in the reconstruction of its war-torn economy and to finance the import of specific goods and equipment necessary to its economic rehabilitation. A portion of the proceeds will be devoted to the modernization of the steel industry, including a modern strip mill. The transportation system is to be improved by the purchase of locomotives and freight cars, cargo ships and canal barges, and commercial airplanes. Coal and oil, essential to industry and transport, figure largely among the prospective purchases, as do industrial raw materials, including semi-finished steel products and non-ferrous metals. Under the loan agreement, the Bank will obtain full information concerning the goods to be purchased with the proceeds of the loan and their utilization. France will be free to purchase in whatever markets are most advantageous.

Because of its size and productive capacity, France is pivotal in western Europe. The economic rehabilitation of France will speed the recovery of surrounding countries and, through an

expansion of trade, be beneficial to the rest of the world.

The loan is for a period of 30 years and will carry interest at the rate of $3\frac{1}{4}$ percent. In accordance with its articles of agreement, the Bank will also charge a commission of 1 percent per annum on the outstanding portion of the loan to build up a special reserve.

The French national recovery program calls for heavy imports during the next five years. Therefore, no repayment of principal is scheduled for this period. Thereafter amortization begins at a modest rate and increases gradually so that the loan will be completely amortized by its due date.

Mr. McCloy states that, although the Bank is not now prepared to make any commitments with regard to a further loan, it will be willing to consider an additional application from France later this year. Any new application will be considered in the light of the funds which the Bank will then have available for lending and of the progress made in carrying out the French economic and recovery program.

Additional Grain Shipments to France

[Released to the press May 15]

The Department of Agriculture has agreed to make available an additional 150,000 long tons of corn to France from Production and Marketing Administration stocks on hand, with the expectation that the French will secure the necessary shipping. This action has been taken in order to expedite the movement of additional grain to France because of the critical shortage which now exists there. This additional quantity will be taken into account in future formal allocations.

This corn, together with recent emergency allocations of 69,000 long tons of wheat and flour, makes a total of 219,000 long tons of bread grains which in the past 30 days have been made available to the French over and above all previous commitments from this country.

It is felt that these additional shipments, together with the quantities of grain already shipped or scheduled for shipment (343,000 long tons) to France and French North Africa from the United States, will alleviate the critical nature of the shortage in France until new crop grains from her own production begin to move.

Department of State Bulletin

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U.S.-Soviet Joint Commission for Korea To Be Reconvened

LETTER FROM THE SECRETARY OF STATE TO THE SOVIET MINISTER FOR FOREIGN AFFAIRS

[Released to the press May 13]

May 13, 1947.

MY DEAR MR. MOLOTOV:

I have received your letter of May 7, 1947¹ and am pleased to note the agreement of your Government to the reconvening of a Joint Commission on the basis of the proposals made in the American Commander's letter of December 24, 1946 to the Soviet Commander in Korea. Those proposals were authorized by this Government and are identical in purpose to the statement contained in the second paragraph of my letter of May 2, 1947.²

I am instructing the American Commander in Korea to make immediate preparations for reconvening the Commission in Seoul. A copy of this letter has been sent to the Governments of the United Kingdom and China.

I convey [etc.]

GEORGE C. MARSHALL

U.S.-Mexican Friendship Reiterated

[Released to the press by the White House May 13]

Text of the President's message to His Excellency Miguel Alemán, President of the United Mexican States

I thank you for your courteous message sent me upon your departure from the United States.

The visit which you and your distinguished companions have graciously paid to me and to the people of the United States has strengthened the already firm ties of friendship and understanding between our two countries. I share your confidence that our relations will grow ever stronger in the same cordial spirit that governed my recent visit to your great country and your visit to the United States.

May I express to you, Mr. President, my best wishes for your personal well-being and happiness.

Text of President Alemán's message, to which the foregoing is a reply

Upon leaving the territory of the United States, I desire to express to you once again my deep

May 25, 1947

gratitude for all the courtesies which you were so good as to extend to me during my stay in your great country, for whose happiness I express sincere wishes as President of a people which believes deeply in the democratic solidarity of liberty-loving men, governed by justice and associated in progress.

The spirit of complete and reciprocal understanding which guided all our conversations in Washington as well as in Mexico is an excellent guarantee of the cordiality of our Republics.

In view of your high qualities as a statesman and as a man which give value to your noble sincerity, that spirit of understanding has found in you a strong champion of inter-American cohesion.

Confident that the cordiality to which I refer will continue to be the best basis for strengthening and promoting the relations of our governments and our peoples, I repeat to you, Mr. President, the sentiments of my constant and steadfast friendship.

Stabilization Agreement With Mexico³

The Secretary of the Treasury of the United States of America, John W. Snyder; the Ambassador of Mexico, Antonio Espinosa de los Monteros; and Rodrigo Gomez, representing the Banco de México, on May 13 executed a new 50-million-dollar stabilization agreement between the two countries.

Under the terms of this agreement, which was the subject of discussion during the recent visit to the United States of President Alemán and Minister of Finance Beteta, the United States Stabilization Fund undertakes for a period of four years commencing July 1, 1947, to purchase Mexican pesos to an amount equivalent to 50 million dollars for the purpose of stabilizing the United States dollar-Mexican peso rate of exchange.

This agreement extends and enlarges the stabilization agreement of 1941 which was twice extended for two-year periods and which expires on June 30, 1947.

Secretary Snyder and Minister Beteta during

¹ BULLETIN of May 18, 1947, p. 995.

² BULLETIN of May 11, 1947, p. 947.

³ Released to the press by the Treasury Department simultaneously in Washington and in Mexico City on May 13, 1947.

their discussions reviewed the satisfactory foreign-exchange relations between Mexico and the United States and the stability which has characterized the peso-dollar exchange rate during the six years that the stabilization agreement has been in effect. They also viewed with satisfaction the complete freedom of exchange operations between the two countries—operations which have involved the financing of aggregate foreign trade exceeding 700 million dollars in 1946, as well as large travel expenditures and other international receipts and payments.

The Secretary and the Finance Minister pointed out that the stabilization agreement is consistent with the aims and purposes of the International Monetary Fund, of which both countries are members, and will in fact serve to supplement the efforts of the international organization to stabilize the rates of exchange between all the member countries.

American Consular Service in India To Be Augmented

[Released to the press May 16]

American consular establishments in India are being augmented, under agreement with the Government of India, by a consular section at the American Embassy, New Delhi, which was inaugurated on May 12, 1947, and a Consulate General at Lahore, Punjab, which is scheduled to open in the near future.

The historic city of Lahore, with its 700,000 inhabitants, is the capital as well as the educational and commercial center of Punjab Province and lies at the junction of railway routes from Peshawar on the northwest frontier, the port of Karachi to the south, and Delhi and Calcutta to the east. Substantial American imports originate in the area, including carpets and carpet wool, hides and skins, and goat hair.

It is anticipated that the presence of permanent consular establishments at New Delhi and Lahore will serve to increase mutual understanding between the United States and India and aid the growth of commercial and cultural relations. The purpose of the new offices will be to improve facilities available to American businessmen interested in the products of the north and northwest regions and to make available more convenient services to several hundred American citizens in the area, the

majority of whom are associated with American missionary and educational organizations. The increasing number of Indian citizens in the region who wish to study, trade, or travel in the United States has, moreover, emphasized the need to provide not only more convenient visa facilities but also a more accessible source of information regarding the United States and the opportunities existing here for Indian students and businessmen.

Air-Transport Agreement With Chile

The Department of State announced on May 14 the signature in Santiago, Chile, of an air-transport agreement, on May 10, 1947, between the Government of the United States of America and the Government of the Republic of Chile. The agreement was signed in behalf of the Government of the United States by the United States Ambassador, Claude G. Bowers, who was assisted in the negotiation thereof by Thomas T. Carter of the Department of State.

The agreement is in substance along the general pattern covering air-transport agreements which the United States of America has entered into with many other countries. It incorporates the terms of the so-called Chicago standard-form agreement and the substance of the Bermuda agreement between the United States of America and the United Kingdom. It is the thirty-second bilateral air-transport agreement entered into by the Government of the United States of America.

The following routes have been designated in Annex B of the agreement:

a The airlines of the United States of America authorized under the present agreement are accorded rights of transit and non-traffic stop within the territory of the Republic of Chile, as well as the right to pick up and discharge international traffic in passengers, cargo, and mails on the following routes via intermediate points, in both directions:

b The United States and/or the Canal Zone to Arica, Antofagasta, and to Santiago and beyond Chile; (*a*) from Arica to points, in Bolivia and beyond; (*b*) from Antofagasta to points in Argentina and beyond; and (*c*) from Santiago to points in Argentina and beyond.

c The airlines of the Republic of Chile authorized under the present agreement are granted, in the territory of the United States of America, the rights of transit and stop for non-commercial purposes, and the right to take on and discharge inter-

national traffic in passengers, cargo, and mails on the following routes via intermediate points, in both directions:

d From the Republic of Chile via Panama Canal Zone to Miami and/or New York and beyond the United States.

UNRRA Operations: Tenth Quarterly Report

THE PRESIDENT'S LETTER OF TRANSMITTAL

[Released to the press by the White House May 15]

To the Congress of the United States of America:

I am transmitting herewith the tenth quarterly report covering the operations of UNRRA and the expenditure of funds appropriated by the Congress for this purpose.

During the quarter under review (October 1, 1946, to December 31, 1946) estimated shipments of supplies from the United States to UNRRA receiving countries amounted to approximately 1,813,192 tons, valued at approximately \$182,732,000. Cumulative world shipments by UNRRA as of December 31, 1946, were approximately 19,885,870 tons, valued at approximately \$2,311,225,000. Of these totals, shipments from the United States were approximately 14,890,685 tons, valued at approximately \$1,664,082,000 or, respectively, 75 percent and 72 percent of the total.

The approximate value of supplies remaining to be shipped on January 1, 1947, was a world total of \$660,000,000.

Two developments at the turn of the year impelled the Central Committee of UNRRA to make adjustments in the categories of supplies still to be shipped from the United States. The first was a critical shortage of food affecting particularly Austria, Poland, and Greece. The second was the fact that certain items being procured in the United States could not be delivered in time for shipment to Europe by March 31, 1947, or to the Far East by June 30, 1947. As a result, the proposal of UNRRA was adopted by the Central Committee on February 3, 1947, for the establishment of an emergency food program in the amount of \$35,000,000. This amount was to be obtained from contracts which could not be shipped before the deadlines to the value of \$25,000,000, an amount of \$4,000,000 from the Director General's reserve, and an amount of \$6,000,000 from the Czechoslovakian

program on the basis of information that Czechoslovakia's relative recovery far exceeded that of other recipient countries. The food program was distributed so that Austria would receive \$20,000,000, Poland \$11,000,000, and Greece \$4,000,000.

Thus UNRRA, by shifting its remaining resources, was able to meet a serious food deficit in the first quarter of 1947. I mention this particular fact to illustrate that the specter of hunger is still close to the peoples of many liberated areas. It is this condition which it is intended that the United States will help to relieve through a 1947 U.S. relief program. We cannot allow our vast efforts through UNRRA and through other means to remain incomplete. It will take a relatively small amount in 1947 to help assure that most liberated countries finally will be able to meet their own needs without free assistance from outside sources.

In addition to its task of providing supplies to devastated countries, UNRRA has carried out a second major responsibility, that of caring for displaced persons. Several hundred thousand displaced persons will be unrepatriated on June 30, 1947, when the resources available to UNRRA will be exhausted. The United Nations has voted to assume the responsibility for these displaced persons through an International Refugee Organization to be composed of member nations. I have recommended to the Congress that the United States join the IRO and that we appropriate the sum of \$75,000,000 as the United States share of the operating fund which is required for the care of these unfortunate people.

The Congress now is considering a joint resolution which provides the sum of \$350,000,000 for relief assistance by the United States to the people of countries devastated by war. This sum is comparatively small in relation to amounts already

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THE RECORD OF THE WEEK

made available by this Government through various means. It is an amount, however, which is of tremendous importance in completing the vast efforts we already have made. Other countries which can make contributions for relief assistance in 1947 have been consulted through the Secretariat of the United Nations and through other channels.

The United States has the resources needed by war-devastated countries to carry them through this year into a new year in which most of them may hope that they will achieve economic recovery. The peace of the world can be realized only when people are free from the fear of hunger.

The goal is close. The United States can help many countries reach that goal in a few more months through the supplies which the joint resolution on relief assistance will provide. I have no doubt that the American people desire that we finish what UNRRA has so well begun.

HARRY S. TRUMAN

THE WHITE HOUSE, May 15, 1947

Tax Treaty Negotiations With New Zealand

[Released to the press May 14]

Preliminary discussions have been opened at Washington with technical representatives of the New Zealand Government looking to the conclusion of a treaty between the United States and the New Zealand Governments for the avoidance of double taxation and for administrative cooperation in prevention of tax evasion with respect to taxes on income.

It is understood that Walter Nash, the New Zealand Minister of Finance, will complete the discussions in Washington while he is en route to New Zealand from the World Trade Conference in Geneva.

In connection with the discussions, the American Delegation will welcome conferences with interested parties or statements and suggestions from them concerning problems in tax relations with New Zealand. Communications in this connection should be addressed to Eldon P. King, Special Deputy Commissioner of Internal Revenue, Bureau of Internal Revenue, Washington 25, D.C.

Resignation of Dean Acheson as Under Secretary of State

LETTER FROM THE PRESIDENT TO MR. ACHESON

[Released to the press by the White House May 12]

DEAR DEAN: It is with great regret that I realize that I cannot again ask you to put aside your desire to return to private life. For the past two years my appeals to your high sense of public duty have kept you on the job despite the personal sacrifice it has meant to you.

I can easily appreciate the reasons which impelled your desire to return to private life as embodied in your letter written as long ago as April 17, 1946, and in another letter the year before.

In response to my urging in both instances you held in abeyance your plans to retire. Again, when you renewed last December your wish to relinquish your post we agreed tentatively that you should leave office on January 10, 1947. Realizing that all these deferrals have meant great financial sacrifice, I appreciate all the more your magnanimous action in standing at your post for another six months.

In justice to you, therefore, the time has come when I must yield to your wishes. With great regret I accept your resignation as the Under Secretary of State, effective at the close of business on June 30, 1947.

You have been the type of efficient public servant whose withdrawal from public life at any time would be a loss to the Nation.

You brought to your duties in the Department of State, legal training and experience; familiarity with finance, particularly in its bearing upon international relations; clear-cut judgment and incisive powers of reasoning. These, with your prodigious industry, have been assets upon which we could always rely and we shall miss them in time to come. I shall like to think that I can, as need arises, call upon you for advice.

With deep regret that the time is now approaching when we must lose your services and with best wishes for your happiness and continued success in private pursuits,

Very sincerely yours,

HARRY S. TRUMAN

Department of State Bulletin

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Appointment to Military Tribunal

On May 15, 1947, by Executive Order 9852 (12 *Federal Register* 3183), the President appointed Charles F. Wennerstrum, Chief Justice of the Supreme Court of the State of Iowa, to serve as a member of one of the several military tribunals established by the military governor for the United States zone of occupation within Germany.

UNESCO Conference—Continued from page 1021

comforting, and a generation which is used to the acceleration of mechanical processes finds it hard to accept the slowness with which human habits and relations are developed. From the point of view of the great effort represented in the founding of the United Nations system, the greatest task of statesmanship today is to maintain a situation in which the constructive forces can work.

THE CONGRESS

Reciprocal Trade Agreements Program: Hearings before the Committee on Ways and Means of the House of Representatives on the Operation of the Trade Agreements Act and the Proposed International Trade Organization. Part 1. 80th Cong., 1st sess. 292 pp.

Investigation of Un-American Propaganda Activities in the United States: Hearings before the Committee on Un-American Activities of the House of Representatives on H.R. 1884 and H.R. 2122, bills to curb or outlaw the Communist Party of the United States. Part 1, testimony of Hon. William C. Bullitt. 80th Cong., 1st sess. 31 pp.

Commission on Organization of the Executive Branch of the Government: Hearing before the Committee on Expenditures in the Executive Departments of the United States Senate on S. 164, a bill for the establishment of the Commission on Organization of the Executive Branch of the Government. 80th Cong., 1st sess. 59 pp.

National Aviation Council: Hearings before the Committee on Interstate and Foreign Commerce of the House of Representatives on H.R. 2220, a bill to establish a National Aviation Council for the purpose of unifying and clarifying national policies relating to aviation, and for other purposes. 80th Cong., 1st sess. 43 pp.

National Science Foundation: Hearings before the Committee on Interstate and Foreign Commerce of the House of Representatives on H.R. 942, H.R. 1815, H.R. 1830, H.R. 1834, and H.R. 2027, bills relating to the National Science Foundation. 80th Cong., 1st sess. 279 pp.

Pearl Harbor Attack: Hearings before the Joint Committee on the Investigation of the Pearl Harbor Attack, pursuant to S. Con. Res. 27, a concurrent resolution authorizing an investigation of the attack on Pearl Harbor on December 7, 1941, and events and circumstances re-

lating thereto. Part 38, proceedings of Hewitt Inquiry. 79th Cong., 1st sess. 302 items.

Investigation of Un-American Propaganda Activities in the United States: Hearings before the Committee on Un-American Activities of the House of Representatives, on H.R. 1884 and H.R. 2122, bills to curb or outlaw the Communist party of the United States. 80th Cong., 1st sess. 340 pp.

Statehood for Hawaii: Hearings before the Committee on Public Lands of the House of Representatives on H.R. 49, H.R. 50, H.R. 51, H.R. 52, H.R. 53, H.R. 54, H.R. 55, H.R. 56, H.R. 579, H.R. 1125, and H.R. 1758. Committee Hearing no. 2. 80th Cong., 1st sess. 310 pp.

Participation by Small Business in Foreign Exports: Hearings before a Subcommittee of the Committee on Banking and Currency of the United States Senate, on S. 414, a bill to encourage fuller participation by small business concerns in soundly expanded foreign trade through Government insurance for United States exports. 80th Cong., 1st sess. 149 pp.

Treaties of Peace With Italy, Rumania, Bulgaria, and Hungary: Hearings before the Committee on Foreign Relations of the United States Senate on Executives F, G, H, and I. 80th Cong., 1st sess. 196 pp.

THE DEPARTMENT

Appointment of Officers

A. Sidney Buford, III, as Deputy Director, Office of Intelligence Research, effective April 20, 1947.

Herbert T. Edwards as Chief, Division of International Motion Pictures, effective May 4, 1947.

Garret G. Ackerson, Jr., as Chief, Division of Foreign Service Personnel, effective May 22, 1947.

Departmental Regulations

420.1 Use of Original Records of the Department of State: (Effective 5-5-47)

I USE OF RECORDS BY OFFICIALS OF THE UNITED STATES GOVERNMENT. The use of the records of the Department by Government officials will be subject to such conditions as the chiefs of the appropriate policy divisions of the Department of State, in consultation with the Chief of the Division of Historical Policy Research (RE), may deem it advisable to prescribe.

II USE OF RECORDS BY PERSONS WHO ARE NOT OFFICIALS OF THE UNITED STATES GOVERNMENT.

A *Unpublished Files and Records of the Department Prior to January 1, 1922.* The unpublished files and records of the Department prior to January 1, 1922 are, with certain exceptions, such as records relating to the citizenship of individuals, foreign service inspection and personnel records, and War Trade Board records, available for inspection to the general public at the National Archives. On January 1, 1948, and each year thereafter until January 1, 1955, this date will be automatically advanced one year.

THE RECORD OF THE WEEK

The unpublished files and records of the Department in the period between the *open* date and January 1, 1933, or such subsequent date as may be fixed by the Department, may be made available for consultation to persons who are not officials of the United States Government, subject to the following conditions:

1 Files which are in current use in the Department or which cannot be made public without the disclosure of confidences reposed in the Department, or without adversely affecting the public interest, will not be made available to inquirers.

2 Papers received by the Department from a foreign government which have not been released for publication by that government will not be made available to inquirers without the consent of the government concerned. If there is reason to believe that a foreign government may be willing to permit the use of the papers in question under certain conditions, the permission may, at the discretion of the appropriate officials of the Department, be requested. (If such permission is requested, the expenses of communicating with the foreign government will be met by the person desiring to consult the papers.)

3 Permission to consult the records of the Department between the *open* date and January 1, 1933, or such subsequent date as may be fixed by the Department, may be granted, subject to the limitations set forth in this regulation, to such persons as lawyers, publicists, and qualified scholars provided that:

a The applicants satisfy the Department that they have an important and definite use for the information desired.

b The applicants confine their requests for material to specific subjects or particular papers. The Department is not in a position to assemble large quantities of papers for persons not officials of the United States Government.

c The applicants agree to utilize records made available to them subject to such conditions as the Department may find it necessary to prescribe.

4 An application from an alien to consult the records of the Department under this regulation will be considered only if such an application is accompanied by a letter from the head of the embassy or legation at Washington of the country of which the alien is a citizen, subject, or national. Such a letter will show that the applicant is favorably known to the appropriate embassy or legation, and that the mission is familiar with the applicant's work. The Department, however, reserves the right, without prejudice, to refuse permission to consult its original records to any alien applicant.

5 All applications to consult the records of the Department between the *open* date and January 1, 1933, or such subsequent date as may be fixed by the Department, will be referred to the Chief of RE. If the Chief of RE is of the opinion that the applicant possesses the requisite qualifications as set forth in this regulation, such application will be handled as follows:

a Documents or papers previously released or published, and unpublished papers clearly involving no question of policy, intelligence, or security may be

made available to qualified applicants by the Chief of RE without reference to other officials.

b Material or information bearing a security classification originating with another Government agency will not be made available unless specific approval is obtained from the agency of origin.

c In the case of requests for all other material information, or documents, the Chief of RE will inform the chief of the policy division charged with the consideration of questions in the field which is the object of research or inquiry of the nature and precise limits of the proposed research and the papers involved.

d If the chief of policy division concerned determines that the applicant will be permitted to use all or part of the papers desired, he will inform the Chief of RE of the conditions under which the papers may be examined—that is, whether copies may be made of the relevant documents or whether only notes may be taken and whether the copies or notes may be published in whole or in part, or used only for background information; or any other conditions which the chief of policy division may deem it advisable to prescribe. This decision will be final except in cases of unusual importance where the question may be referred to the Under Secretary.

e Upon receiving the decision of the chief of the policy division setting forth the conditions deemed advisable and necessary to prescribe, the Chief of RE will arrange for the applicant to consult the files subject to the conditions decided upon.

f After the applicant has consulted the papers, he will submit to the Chief of RE all notes, copies of documents, and the like, which he has made. These materials will be examined by the Chief of RE or submitted to the chief of the policy division, if he so desires.

g After such examination the papers may be transmitted to the applicant by the Chief of RE or retained at the discretion of the chief of the division concerned.

B Unpublished Files or Records of the Department of a Date Later Than January 1, 1933, etc. The unpublished files or records of the Department of a date later than January 1, 1933, or such subsequent date as may be fixed by the Department, may not be made available to persons who are not officials of the United States Government except in circumstances which have been determined to be exceptional in accordance with the principles and procedures set forth below:

1 A determination to permit access to persons other than officials of the United States Government to the unpublished files and records of the Department during the *closed* period as defined above may be made only on the grounds that the interests of national policy are served thereby.

2 Such a determination will be made by a Committee on the Use of Departmental Files, consisting of the Security Officer of the Department, the Chief of RE, who shall be Chairman, and a representative of the offices responsible for the political and/or economic

policy involved. The Chief of RE shall designate an Executive Secretary to serve the Committee.

3 All requests by persons outside the United States Government for permission to use Departmental files in the *closed* period must be made in writing, with full justification, to the Chief of RE who will refer the request to the Committee for decision and transmit the Department's decision to the applicant.

4 Should the Committee fail to arrive at a unanimous agreement as to the policy or its application to particular cases, the matter will be referred, fully documented, to the Under Secretary for decision.

III LIBERAL INTERPRETATION OF REGULATION. It is the policy of the Department that its records be made available to persons not officials of the United States Government as liberally as circumstances permit.

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Contributors

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Esther C. Brunauer, author of the article on the relation of the program of UNESCO to the United Nations, is Consultant for the UNESCO Relations Staff of the Department of State. Doctor Brunauer served as U.S. Representative with the personal rank of Minister on the Preparatory Commission of UNESCO and to the First General Conference.

H. van Zile Hyde, author of the introductory remarks on UNESCO-WHO relations, is Alternate U.S. Representative on the Interim Commission of WHO; Assistant Chief of the Health Branch, Division of International Labor, Social and Health Affairs, Office of International Trade Policy, Department of State.